the weekly Standard

FEBRUARY 28, 2000

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SEX AND THE FRENCH NOVELIST
CHRISTOPHER CALDWELL

Hooked on Ergonomics

Matt Labash reports on OSHA's new obsession

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Can you believe it? Now The Coalition For Higher Mortgage Costs is actually lobbying to roll back products that cut consumers' costs.

Over the past couple of years, Fannie Mae has helped home buyers by introducing widely available mortgage products like Flexible 97,℠ a conventional mortgage that requires borrowers to make a down payment of only three percent.

We've reduced our requirements for mortgage insurance on loans with small down payments.

Late last year, we even introduced the Timely Payment Rewards℠ Mortgage, which helps borrowers with slightly impaired credit get a rate of two percent less than they'd pay in the subprime market. And if the borrower pays his mortgage on time for 24 consecutive months, the mortgage rate is reduced an additional one percent.

All these products were designed to help those who find it too difficult or too expensive to achieve the American Dream of homeownership.

In a bold move that revealed their true colors, The Coalition For Higher Mortgage Costs, on December 15, 1999, sent a letter to the government with a simple message: Please get these consumer-friendly products outlawed. Stop Fannie Mae from lowering consumer costs for those with low and moderate incomes, minorities, and the underserved.

Oh, they don't call themselves The Coalition For Higher Mortgage Costs. They call themselves names like the Consumer Mortgage Coalition and the National Home Equity Mortgage Association. And what they say they want is more "competition."

But what they're lobbying for is an end to the kind of pro-consumer mortgage products that Fannie Mae, working with our lenders and partners, can consistently be counted upon to offer.

Lobbying to raise consumer costs. Trying to stop consumer choice. The Coalition For Higher Mortgage Costs at work.

Lower rates. Lower costs. Increasing homeownership opportunities. Fannie Mae at work.

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The Perpetual Chaplain of the House

After all the uproar about who should replace retiring James Ford as chaplain for the U.S. House of Representatives, Republican leaders have at last reached a decision: The chaplain will continue to be James Ford, who is delaying his retirement and returning for a 22nd year. This, at least, is the latest word circulating in New York and Washington.

The story begins back in June, when nine Democrats and nine Republicans met to choose nominees for Ford's post. With apparently little disagreement, they selected two Protestants and one Catholic: Rev. Charles Wright, Rev. Robert Dvorak, and Fr. Tim O'Brien. In December, speaker Dennis Hastert, majority leader Richard Armey, and minority leader Richard Gephardt met to make the final decision, with Hastert and Armey outvoting Gephardt to give the nod to Wright, a Presbyterian minister.

It should have ended there, but Bill Donohue—head of the Catholic League, a New York-based 350,000-member organization that fights anti-Catholicism—stepped in, charging in a firestorm of faxes that the rejection of O'Brien meant Protestants Hastert and Armey were anti-Catholic. Democrats such as Henry Waxman, Earl Pomeroy, and Anna Eshoo, not otherwise renowned for their support of Catholic positions, gleefully repeated the charge. In response, Hastert's and Armey's staffs waged a brief but astonishingly incompetent campaign against O'Brien, accusing the Wisconsin priest of being a raging liberal, pastorally inexperienced, and soft on abortion—charges so easily dismissed that they seemed to prove Republican bigotry.

Of course, what actually led to the choice of Wright wasn't bigotry, but good, old-fashioned glad-handing. Wright is a political insider and power operator who leads Washington's annual National Prayer Breakfast. No wonder Hastert and Armey insist they found him more "empathetic." But that didn't stop the Catholic League, and among Republicans there's some suspicion that Donohue started the controversy to ensure that his League (which denounces liberals far more often than conservatives) keeps its reputation as nonpartisan. More likely, however, is that Donohue is a man of sudden enthusiasms and quick reactions, and after the first few faxes, felt he couldn't turn back. Two months later, the only face-saving solution for the Republicans and the Catholic League is the return of Ford. He may have to stay forever. ♦

The Damn-the-Torpedoes Congress

Congress is about to vote on two pieces of legislation with important implications for national security: the reauthorization of the Export Administration Act and permanent normal trade relations (formerly known as most-favored-nation status) for China. One would think measures of such import would call for thorough debate. Instead, the congressional leadership—at the behest of an ardent business lobby and the Clinton administration—wants to speed things along.

On the export front, the administration for six years has had virtual free rein to regulate (or not regulate, as the case may be) U.S. export policies. That's because the previous export law lapsed in 1994. And, as the country learned through the Cox Committee and other investigations, the administration botched its responsibility to control the export of militarily-relevant technologies to potential adversaries.

Senate Banking Committee chairman Phil Gramm, unfortunately, wants the full Senate to vote on a flawed export-control bill before any of the key national security committees—Armed Services, Foreign Relations, Intelligence, or Governmental Affairs—can ensure that it will prevent the export of dangerous technologies. To their credit, the chairmen of these committees—senators John Warner, Jesse Helms, Richard Shelby, and Fred Thompson—have asked Trent Lott not to bring the bill to the floor until their committees can hold hearings.

There is certainly need for such review. As the measure stands, neither the State Department nor the Defense Department can veto an export license. This substantially increases the sway of the Commerce Department, which has never met an export it didn't want to expedite. This is precisely the opposite of what the Cox Committee recommended.

Meanwhile, the House leadership has announced that it will seek a vote on giving China its coveted permanent normal trade status as quickly as possible, perhaps even before negotiations are completed between the European Union and China over the terms of China's accession to the World Trade Organization.

In light of China's history of noncompliance with previous trade agreements, the devil really is in the details here. Forcing a vote before all the facts are known about the terms of Beijing's entry into the WTO is hardly justifiable. Before agreeing to give up one of the few bits of leverage it has, Congress ought to be certain that the benefits that are supposed to flow from China's entry into the WTO will in fact do so. Don't hold your breath. ♦

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This Hundt Was Doggedly Partisan

Reed Hundt—Al Gore's high school chum who oversaw telecom deregulation as head of the FCC from 1993-1997—used to complain about the "incredible partisanship" of the Republican Congress. Well, a fox smells its own hole. THE SCRAPBOOK can't really recommend Hundt's forthcoming memoir *You Say You Want a Revolution* as light reading, but the page proofs contain ample evidence of Hundt's stunning hypocrisy in accusing anyone else of partisanship.

Hundt sought the FCC post in the first instance, he now says, with a pledge to be "Al's lieutenant." In 1996, while publicly professing that "we must not slip into the abyss of partisanship," he fought the National Association of Broadcasters over his plan to regulate children's TV programming because, he now admits, "I believed we were helping the President and Vice President win re-election."

And here is his amazingly frank version of what it means for a supposedly independent agency to implement legislation Congress has passed (the 1996 telecom reform, in this case): "Under principles of statutory interpretation, we had broad authority to exercise our discretion in writing the implementing regulations. Indeed, like the modern engineers trying to straighten the Leaning Tower of Pisa, we could aspire to provide the new entrants to the local telephone markets a fairer chance to compete than they might find in any explicit provision of the law."

Hundt, in short, deserved every bit of "partisan" oversight that he got and probably didn't get enough. ♦

The Breindel Award

THE SCRAPBOOK is pleased to note that entries are now being accepted for the Eric Breindel Award for Excellence in Opinion Journalism, which honors the memory of the *New York Post* editor and WEEKLY STANDARD contributor who died unexpectedly in March 1998, at the age of 42.

The Breindel Award, sponsored by the Eric Breindel Memorial Foundation, is the most lucrative in the field of opinion journalism, with a prize of $10,000. The foundation presents this annual prize to the columnist or editorialist whose work best reflects the spirit that animated Breindel's writings: love of this country and its democratic institutions, as well as the act of bearing witness to the evils of totalitarianism. *Boston Globe* columnist Jeff Jacoby was the first winner of the award. News Corporation, Breindel's employer and the corporate parent of this magazine, pledged $250,000 to the Eric Breindel Memorial Foundation.

A confidential panel appointed by the foundation will judge the entries. Those who wish to be considered should submit no more than five editorials or columns written in the 1999 calendar year, accompanied by a $25 entry fee. Applications may be obtained by contacting award administrator Jan Ruffle at 212-930-8018. The winner will be announced in June. ♦

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Casual

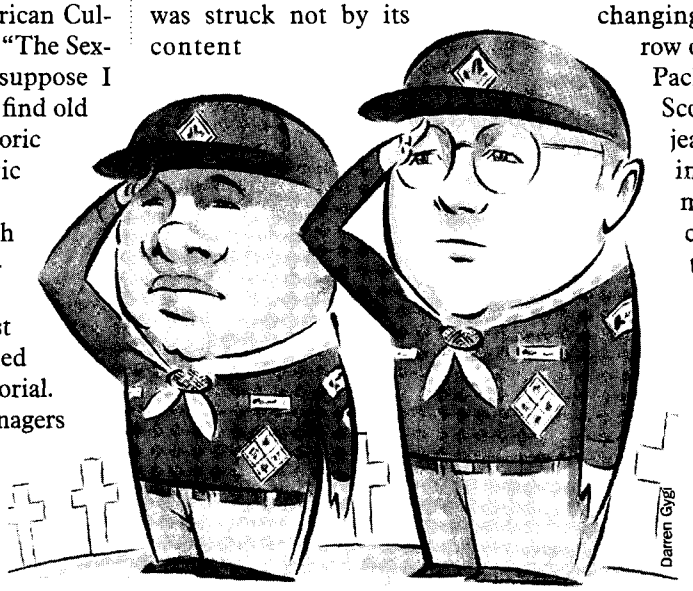
Washington and Lee

Civil War historian Bruce Catton once said, "Whatever we are looking for, we come to Washington in millions to stand in silence and try to find it." When I moved to Washington last June, I'm not sure I was looking for anything specific. I'd just spent my undergraduate years trying to ignore dorm study-lounges named after Angela Davis, English courses like "Rock Stars and American Culture," and guest lectures on "The Sexual Politics of Meat." I suppose I brought a vague longing to find old verities amid the city's historic remnants and noble civic spaces.

I arrived with fresh eyes—I'd never seen Washington on a field trip or family vacation. On my first day of sightseeing, I strolled down to the Jefferson Memorial. A group of out-of-town teenagers had gotten there first. They had the slovenly appearance of teenagers, and they were shouting and strutting and making noises with their armpits. And they were utterly unmoved by the memorial—by Jefferson's splendid words carved inside, or by his tremendous bronze likeness gazing across the Tidal Basin. They seemed impatient to get back to their Britney Spears CDs, and I slunk home in a state of Robert Bork-style gloom.

But the monuments and museums kept drawing me back. American history has a way of dispelling pessimism, as I began to see. On a broiling summer day, I slipped into the cool darkness of the National Archives. It was the Fourth of July weekend—an appropriate time, I felt, for my first look at the Declaration and other founding documents. I was fascinated by the signatures. Near John Hancock's grandiose autograph on the Constitution was James Madison's tiny, unassuming signature. It seemed to capture in ink the humility of the man who, more than any other, had shaped the creation and adoption of our basic law.

Next, in a temporary exhibit at the Archives, I saw a letter written by George Washington at Valley Forge. I was struck not by its content but, of all things, by the grace and elegance of Washington's penmanship. It revealed not only how beautiful handwriting could be in the days before word processing, but also how steady his hand was—suggesting the resolve and judicious temperament a great leader commands, even when the situation is most bleak.



In October, in a glass case at the National Portrait Gallery, two lifemasks of Abraham Lincoln held me entranced. One, made just before Lincoln became president, had the look of a man assuming a great burden with guarded confidence. The other, made in 1865, was full of lines and crevices that betrayed the toll taken by four years of war. Displayed between them were casts of Lincoln's hands: enormous and strong, reminders of a time when future presidents came of age felling trees and slopping hogs, not dodging the draft and smoking pot.

Yet these pleasant discoveries hadn't answered a question that had nagged me since my visit to the Jefferson Memorial: Were the virtues that sustained these men relics, too, preserved in glass cases and marble edifices, lifeless and unable to speak to us?

Recently, I visited Arlington Cemetery, and, standing in silence there, I found an answer. I'd walked past endless rows of bone-white headstones to the Tomb of the Unknowns, to see the changing of the guard. In the front row of spectators I saw Cub Scout Pack 150, in their disheveled Scout shirts and rumpled blue jeans, following the ceremony intently alongside their den mothers. After the guard-changing, a wreath given by the pack was to be placed at the tomb.

Two of the Scouts followed a tomb guard and a couple of elderly veterans out to place the wreath. As a bugler played "Taps," one of the boys followed the guard's lead and snapped into his three-fingered Cub Scout salute; he nudged his partner, and the second boy did the same. The other Scouts followed suit. After "Taps," the guard and the veterans exited, and the two boys brought up the rear, shuffling to fall in step with the men in front.

It was a solemn ceremony, and the boys played their part well. I left Arlington reassured by that sight: the old men who had answered the call long ago, the tomb guards who stood ready to answer it today, and the Cub Scouts who seemed willing to answer it in the future. Even 9-year-olds can respond to duty, honor, and country. All that is required is the example of those who came before, and our willingness to remember.

Lee Bockhorn

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McCain's Insurrection

Out here in the Midwest, the so-called Republican "establishment" that William Kristol and David Brooks complain about seems a bit remote to me ("The McCain Insurrection," Feb. 14). In fact, from this perspective, Kristol and Brooks seem a good deal closer to that establishment themselves than they apparently feel.

In any case, like them I too have been troubled by George W. Bush's lackluster campaign since Iowa. Before then, he was articulating solid views on many issues. After that, he fell back to the default mode: the Republican "flinch"—a defensive response to all attacks from the Democrats, the media, and just about anyone else. (Actually, this may have been there from the start, given the defensiveness implicit in the phrase "compassionate conservatism.")

Also like Kristol and Brooks, I am pleased to see McCain's candidacy igniting a latent but strong sense of patriotism and self-sacrifice in the electorate. But I am bothered by the programmatic emptiness or even incoherence in McCain's brand of stylistic populism. When push comes to shove, no Republican is going to get the party back on track without a strong and consistent attack on the Democratic party's racial demagoguery, its pandering to an entitlement mentality, and the anti-Americanism that all too many of its core supporters still carry in their hearts. At times, McCain seems ready to take on the Democrats. At other times, he seems ready to join them.

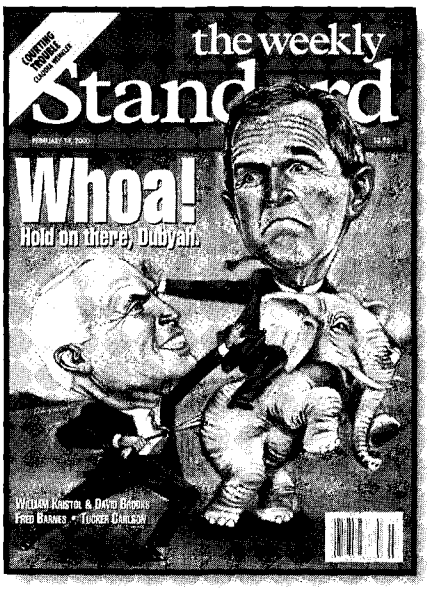
As for insurgencies against establishments, I would be interested to know what Kristol, Brooks, and McCain plan to put in place of the current Republican establishment, such as it is. For if one thing is clear to me, the populist promise to do away with establishments is one of the oldest fantasies in human history. Should Sen. McCain be elected, he will need an institutional support system and the know-how to make it work for him. At this point, my money is still on George W. Bush, though I would fight for McCain equally hard. I just have many more doubts about McCain than you seem to have.

Jonathan Burack
Stoughton, WI

William Kristol and David Brooks write in "The McCain Insurrection" that, regarding Kosovo, Sen. McCain "supported his commander in chief despite grave doubts about the conduct of the war." Do they really believe that the role of the legislative branch is to cheer for the president?

This kind of thinking is in direct opposition to the Constitution, and has led to the point where we now in essence have the president as a dictator running the military. If this is what they want, why don't they at least call for the Constitution to be amended?

Here is what George Washington said: "The Constitution rests the power of declaring war with Congress; therefore



no offensive expedition of importance can be undertaken until after they have deliberated upon the subject and authorized such a measure."

Sen. McCain believes that the president has the right to take whatever military action he wants anywhere in the world based only on his authority. In fact, war-making authority belongs with Congress. James Madison put it this way: "In no part of the Constitution is more wisdom to be found, than in the clause which confides the question of war and peace to the legislature and not to the executive department."

The Founding Fathers made it clear in the Constitution, and in what they said later, that they wanted Congress, not the president, to be the authority behind the use of our military. They never intended for the nation's military forces to be in the hands of any one person. The only time the president can act without congressional authority is to repel a sudden attack. Roger Sherman said this at the Constitutional Convention: "The Executive should be able to repel and not to commence war."

If unconstitutional dominance of the military by the president is allowed to continue, it will threaten the very foundation of our republic. The decision to deploy our military forces (except in an emergency) belongs to Congress alone. Civilian control of the military comes primarily from Congress representing the people, not from the president. John McCain (and others) must be made to understand that the people, through Congress, are sovereign, not the president. I am amazed that a person running for president can be so ignorant of the Constitution.

Robert Previdi
Manhasset, NY

True phenomena move good journalists to do good work, and the McCain phenomenon has moved many commentators to do some of their best thinking and writing. But William Kristol and David Brooks's "The McCain Insurrection" is itself phenomenal, a brilliant and insightful piece, both intellectual and moving. As we look back at this moment—whatever happens—it will stand up as history-in-the-making journalism and political analysis. Bravo and thanks.

Bob Schwartz
Moreland Hills, OH

The Best Defense

While William Kristol is correct in detailing how the Clinton administration has eroded the readiness and capabilities of our military, I strongly disagree with his assessment that "congressional Republicans have been complicit in the neglect that is sapping American military strength" ("Silence of the Lambs," Feb. 7). In recent years Republicans have succeeded—often over the vehement opposition of the Clinton

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administration—in ensuring that America's sons and daughters in the armed services have the resources they need to get the job done.

When the Republican leadership met before the start of the 106th Congress, we agreed that bolstering America's national security was a pressing need demanding immediate action. I am proud to say that the Republican-led Congress came through by providing needed funds for military equipment and enhancing the quality of life for our troops with increased benefits, higher pay, and better housing.

The Clinton administration's record number of deployments has strained America's armed forces to the breaking point. To ease the strain on military members and their families created by this uncertainty, Republicans provided extra funds and benefits to make military service more rewarding. Republicans provided more funds than the administration requested for a nearly 5 percent pay raise, salary bonuses, child development and day-care centers, troop and family housing, and hospitals. Additionally, we improved military health care by making it more cost-effective and more accessible, and we reformed service members' retirement system by increasing benefits.

With an administration that continually shortchanges the military's accounts, it has been difficult to provide our armed forces with the equipment and resources they need to operate at even minimal readiness levels. There have been numerous reports of troops not being able to train because of basic shortages of ammunition and night-vision devices, and of our planes not being able to fly because of a lack of spare parts. We appropriated more funds than the president requested for these accounts and will be back this session to get our troops the resources they need to ensure that our military has the best-trained personnel and most advanced equipment in the world.

A sound national security policy must address long-term priorities as well as immediate needs. In an effort to guarantee that our military will always be the most advanced in the world, we provided billions more than the president requested for research and development accounts. This money supports various programs like medical research, missile defense, safer vehicles, and advanced computer technologies. What makes these programs so important is that the innovations researchers make today will be used in the civilian world tomorrow. Just look at the Internet and all the benefits it has wrought since its origin as the Department of Defense's Advanced Research Projects Agency Network (ARPANET) in 1969.

A major victory for all Americans was the passage of a bill to ensure that Americans are protected from ballistic missile attack. Currently, our military does not have a system to defend America from even one ballistic missile fired from a rogue nation. President Clinton may come out and say that he is for missile defense, but his actions tell another story.

The Heritage Foundation points out that "President Bill Clinton has dismantled the robust missile defense programs he inherited from the Bush administration." Clinton terminated and cut funding on numerous missile defense programs that would have had Americans under a protective shield today. He terminated President Bush's Global Protection Against Limited Strikes (GPALS) missile defense deployment plan, and the space-based "Brilliant Pebbles" interceptor development program. Additionally, Clinton cut funding for the deployment of missile defense programs in half, and left the negotiating table with Russia regarding cooperative efforts to address the missile threat both countries live with by shunning Yeltsin's Global Protection System proposal for cooperation on missile defense. Despite his suspect commitment, congressional Republicans fought for and enacted a bill to deploy a missile defense system as soon as technologically possible. In the coming year, Republicans are committed to continue testing, fund additional research, and enhance our ability to make a reliable national missile defense a reality.

In the second session of the 106th Congress, the Republican leadership defense agenda will build on the successes of the first session. We will get our troops needed resources for training, improved readiness levels, more quality family housing, and continued research and testing on a national missile defense system and other important priorities. Republicans in Congress will do everything in our power to ensure that America's national security is second to none.

J.C. Watts Jr.
(R-OK)
Chairman, House Republican Conference
Washington, DC

• • •

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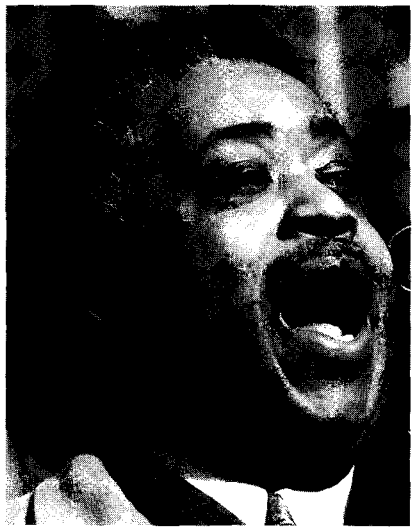
"Vulcanizing" the Race Issue

Where race is concerned—today as yesterday the most profound but botched up and phonied over issue in our national politics—the Republicans are bad enough. In private life, black and white Americans smile uneasily at one another across a wide divide of consciousness. In public life, the Constitution commands our laws be scrubbed clean of such race consciousness in all but the very rarest and narrowest of circumstances. So sayeth a one-vote majority of the Supreme Court, anyway. Yet our laws still stink with thousands of programs, large and small, that reward or disfavor us according to our skin color—and our sex and what continents our great-grandfathers lived on. What a sad, enormous ball of hypocrisy and incoherence the whole thing is. And what disappointing dopes these Republicans are about it: that after years and years of painful practice, they still cannot establish, in the same breath, that their hearts are right and their minds are focused.



During a news conference last March, George W. Bush was asked to elucidate his position on affirmative action—the system of racial numerology by which his and every other state continues to dole out employment and contracting spoils. "I support goals," Bush replied. "I think it is important to have goals." And, to complete the classic weasel: "What I'm against is quotas. I'm against hard quotas, quotas that basically delineate based upon whatever. However they delineate, quotas, I think, vulcanize society. So I don't know how that fits into what everybody else is saying, their relative positions, but that's my position." Two days after Bush let loose this bit of eloquent philosophy, the *Austin American-Statesman* was generous enough to report that it had perhaps misquoted him; the governor might have warned that quotas "Balkanize," not "vulcanize."And then, eight months later on NBC's *Meet the Press*, in the exact same context, Bush said "vulcanize" again.

Might it also be a tad vulcanizing, 135 years after Appomattox, to have the battle standard of slave-holding secession still flying over one of our constitutionally reunited states? Governor Bush has lately had difficulty offering a direct opinion; it is a local matter, after all. As, he believes, it is properly a matter local to the campus of Bob Jones University that its black and white students are not allowed to go on dates together—and Bush wishes we would all stop bugging him about it, too. The governor *has* recently managed a straight answer about the practice of stop-and-question racial profiling by police departments; he's "against it." That is something, one supposes.

And one supposes John McCain may yet explain how the Confederate stars and bars might be an offensive "symbol of racism" and an honorable "symbol of heritage," all at once. Or how the antediluvian fraternization policies at Bob Jones might simply be an "idiotic" anomaly at an otherwise "fine academic school." Or how, "of course, of course," racial profiling "should be stopped," on the one hand—but continued, on the other, for people who are "terrorists" and "fit that description." Senator McCain, incidentally, also claims to oppose quotas, though he voted to sustain a notoriously rigid Transportation Department contracting set-aside—*after* that quota was specifically tagged unconstitutional by the Supreme Court's 1995 *Adarand* ruling. McCain says Antonin Scalia, who joined the majority in *Adarand*, is a model justice. But only sometimes, apparently.

Go figure. Put a question about race to the Republican party's presidential candidates and they haul out not some consistent understanding of constitutional morality, but a plastic Magic 8 Ball novelty toy, one stuck always in the same place: Reply hazy, ask again later. Such timidity and confusion.

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But we knew that about them already. Just as we already knew that timidity and confusion about race is not a problem that plagues the Democratic party's presidential contenders. Not at all. Al Gore and Bill Bradley would either of them give us two, three, many race-preference-friendly Supreme Court justices. They would give us a quota in every pot: a federal government and local school teaching staffs and private workplaces that look like America, vulcanized right down to statistical perfection. And they would happily be known for those plans—at least to their party's primary electorate. None of this is news.

What *is* big news—or should have been big news had not everyone been distracted by the Republican spectacle in South Carolina—is the extent to which Gore and Bradley have both lately proved themselves willing, in the struggle for a presidential nomination, to truck with the most aggressive imaginable race hatred, even with a whiff of racial violence. Nothing Bush and McCain have done comes close.

We are referring here to the Reverend Al Sharpton of Harlem's "National Action Network." New York breeds cancerous racial hysteria the way Nebraska grows corn. And every such outbreak, it seems, is led by Sharpton. Sharpton was principal spokesman for the infamous Tawana Brawley abduction-and-rape hoax. Sharpton was principal spokesman for the "wilding" youths convicted in the "Central Park jogger" case. Sharpton directed the mob that attacked reporters covering lawyers for the accused killers of Yusuf Hawkins in Bensonhurst. Sharpton encouraged the anti-Semitic protests that became the Crown Heights riot of 1991. Sharpton juiced up the crowds about "white interlopers" and "diamond merchants" at Freddy's Fashion Mart on Harlem's 125th Street in 1995. Freddy's then was firebombed and eight people died. Sharpton has never so much as apologized for any of this. Sharpton is a dangerous demagogue.

But, depressingly enough, Sharpton seems also to be a man, based on two statewide Senate campaigns and a mayoral candidacy in the 1990s, who can deliver New York's black electorate. And so, depressingly enough, Bill Bradley and Al Gore have both been eager to secure Sharpton's blessing in advance of the New York state primary March 7—the first day of the Democratic presidential nominating calendar on which black voters will go to the polls in sizable numbers. Bradley and Gore have disgraced themselves.

Bradley started it, though a fat lot of good it has ultimately done him. Late last August, Dollar Bill, Mr. Piety, shared a stage at the smiling Sharpton's Harlem headquarters and proclaimed, "This is the home of justice." Next, after his usual creepy vaporizing about "white skin privilege," Bradley actually repeated—and so endorsed—the standard, violence-threatening slogan of American race-baiters everywhere: "No justice, no peace." Bill Bradley thus instantly disqualified himself for the presidency.

But not with Al Sharpton. Sharpton was mighty pleased by Bradley's attention. And spent the next few months hinting that he might go ahead and endorse the former senator unless Gore paid him equivalent tribute. The vice president did eventually invite Sharpton to a private, off-the-record meeting with other "black leaders" in Manhattan in early November. But that wasn't enough. "He needs to talk to people like me *publicly*," Sharpton explained. "Without my support . . . [Gore] clearly can't win." And "I wouldn't support anyone who wouldn't come see me."

Two weeks ago, Bradley dramatically raised the ante in the Al Sharpton sweepstakes. He once again materialized next to Rev. Al—this time at a press conference in Queens—and demanded that Gore join him in a pre-primary, Sharpton-organized New York debate about racial issues. Sharpton, for his part, demanded that Gore respond "by the end of the week," or else "certainly some of us may mobilize against his efforts."

And that red flag seems finally to have done the trick. By Sunday, February 13, Gore had given Sharpton everything he wanted, including a one-on-one, closed-door meeting in the Upper East Side apartment of the vice president's daughter, Karenna. Gore is to participate this week, in public with Sharpton, at the sought-for debate. Sharpton says he is "impressed." Sharpton will not, gossip in the New York dailies indicates, endorse Bill Bradley, after all. This thing is mercifully, if grotesquely, almost over.

Or maybe not. By unfortunate coincidence, another Al Sharpton-saturated event is also nearing its denouement this week. Closing arguments are now underway in the trial of four New York City police officers charged with murdering West African immigrant Amadou Diallo in the South Bronx last February. For a year, Sharpton has led protests against this "racially motivated" police "assassination." But after two weeks of gripping testimony, it now appears possible—even likely—that the jury will conclude the shooting was an accident or at worst a matter of negligence. The officers may be acquitted of murder, in other words. It may happen right before the March 7 presidential primary. If it does, someone in Al Sharpton's malignant ambit will almost certainly try to start a major civil disturbance. This is what these people do for a living, you see. And they very often succeed.

Pray that this time they fail. For all the obvious reasons, of course. And for one other. A riot would force both parties' presidential candidates to react. There's little evidence that the Republicans are up to the task. Mortgaged as they now are to Al Sharpton, anything Al Gore and Bill Bradley might have to say—anything at all—is too disgusting to contemplate.

—David Tell, for the Editors

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The Do-Something House Republicans

Despite doubts in the Senate, they've decided to play offense and pass tax cuts. **BY FRED BARNES**

DO HOUSE REPUBLICANS know what they're doing? Against the wishes of nearly everyone in Washington—House Ways and Means chairman Bill Archer, Senate Republican leaders, congressional Democrats, the White House, former Republican party chairman Haley Barbour—they passed legislation wiping out the marriage penalty in the federal tax code. At the same time, House speaker Dennis Hastert leaked word that Republicans are ready to repeal the earnings limit on Social Security benefits. That's not all. House Republicans plan to have separate votes soon on tax-free education savings accounts, new tax breaks for inner cities, and elimination of the federal inheritance tax.

In short, they've disaggregated last year's GOP tax bill and decided to take up its most popular parts, one by one. Yes, they do know what they're doing, and the new strategy is working. After the 268-to-158 vote to alleviate the marriage penalty earlier this month—48 Democrats voted for it—majority leader Trent Lott changed his mind and agreed to schedule a vote in the Senate. Following Hastert's leak about the earnings limit, White House press secretary Joe Lockhart said President Clinton wouldn't go along unless the measure was part of a Social Security reform bill. But Lockhart was wrong. A few days later, Clinton told Wolf Blitzer of CNN that he'll happily sign a repeal of the earnings limit.

White House press secretary Joe Lockhart said President Clinton wouldn't go along with House Republicans. Lockhart was wrong.

Here's the point: Boldness pays. Both these measures would likely have gone nowhere this year unless House Republicans had pressed ahead. What House leaders have done is adjust for the public's lack of enthusiasm for large, sweeping tax cuts. To their surprise, Republicans discovered this indifference last year while trying to stir support for their $792 billion tax cut. When Clinton vetoed that tax measure, there was no political backlash. More recently, George W. Bush has failed to generate excitement for his plan to slash taxes by $432 billion over five years. In poll after poll, voters have overwhelmingly said they prefer reducing debt to cutting taxes.

Still, some individual tax measures are popular, and House Republicans have glommed onto them. They want credit for enacting them or, should tax cuts be killed in the Senate or by a Clinton veto, at least for pushing them. House GOP members are wary of being labeled "do nothing" in the election this fall. And they desperately want to avoid a repeat of the 1998 election, in which they were expected to gain seats but instead lost five. Then, they had practically no agenda to run on and, worse, were blamed by conservative voters for caving in to Clinton's demand for more spending.

Another election like that and Republicans, with only a five-seat advantage, will lose the House. Thus, when House GOP honchos met privately with their Senate counterparts in January, they were appalled at the senators' distaste for votes on tax cuts. Senate leaders wanted to do as little legislatively as possible in 2000, partly to avoid negotiations with Clinton, who invariably gets the better of them. Hastert, House majority leader Dick Armey, and whip Tom DeLay agreed that talks with Clinton should be kept to a minimum. But they decided to go ahead on taxes and simply present Clinton with popular cuts without first negotiating with him.

Above all, House Republicans want to stay on offense. "When somebody leads, others will follow,"

Fred Barnes is executive editor of THE WEEKLY STANDARD.

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says a House official. "We're leading now and winning big margins, and we haven't heard anything about Democratic issues like prescription drugs." At the beginning of this month, the House passed, 341 to 70, the Taiwan Security Enhancement Act over the objection of the White House. Killing the marriage penalty was approved by nearly a two-thirds vote. The Social Security earnings-limit ban may be passed by a voice vote.

There are risks, however, in the House GOP strategy. Haley Barbour, who sends annual strategy memos to GOP congressional leaders, fears Republicans may play into the hands of Senate Democrats. Tom Daschle, the Senate Democratic leader, will be able to decide which tax cuts go forward and which are filibustered to death, according to Barbour. And those allowed to pass will be signed into law at White House ceremonies designed to give Democrats and Vice President Al Gore the bulk of the credit. Democrats are also certain to attempt to decorate the tax bills with liberal amendments. Daschle has already said he's prepared to attach a Medicare prescription drug benefit to the marriage penalty legislation. Besides, Barbour says, control of the House won't be determined by a tax bill or two but by which party wins the White House.

True, but why should Republicans let Democrats dominate the legislative agenda on Capitol Hill in 2000? Republicans are already faced with the need to reach painful compromises on hiking the minimum wage, a patients' bill of rights, and prescription drugs, all Democratic issues. And Hastert has identified "10 items of agreement between Republicans and Clinton" that might be passed, such as expanded IRAs, a tax credit for long-term health care, and increased spending for medical research. These aren't hot button issues. All the more reason to spend time on those tax cuts that are popular with both Republicans and the public. The alternative is surrender. ♦

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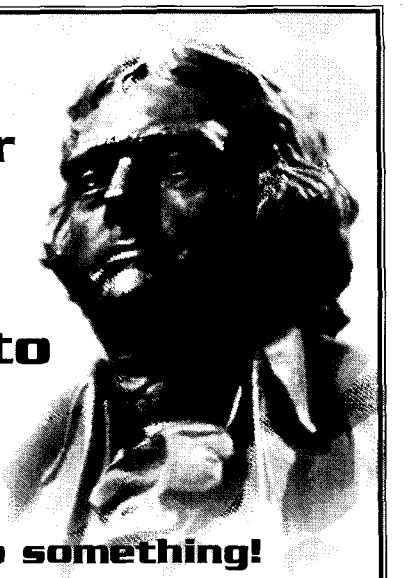

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Dollar Bill in the Fourth Quarter

There's still time, as Bradley says, but he looks like he's headed for the showers. **BY MATTHEW REES**

San Jose, California

THE SCENE WAS San Francisco's Sheraton Palace Hotel last April. Bill Bradley had just hauled in $1 million at an oversubscribed fund-raiser and he could barely contain his giddiness. Describing the early stage of his presidential campaign as "exhilarating," he boasted, "I'm at the top of my game. I'm having the time of my life. I should be paying people for the experience."

Fast forward to February 12. The scene is the San Jose Hilton, and Bradley is speaking at a 9 A.M. rally shortly before he is due to address the Democratic party state convention. He looks tired, and during his 10-minute speech his only memorable line—"We still have the fourth quarter to go"—doesn't exactly stir the crowd.

Following the rally, 300 people march a few steps behind him as he saunters through the Hilton lobby to the adjoining convention. His supporters are chanting his name, but he doesn't even look back to acknowledge them. And in a moment straight out of the movie *Spinal Tap*, he takes a wrong turn and only realizes the error when he's about to walk into, not the convention hall, but a janitor's closet. "What are we doing here?" he snaps at the Secret Service agents nearby, who quickly redirect him.

As symbols of Bradley's California campaign, these two events nicely capture his rise and fall. After spending the 1997-98 academic year teaching at Stanford University, he came back to California for extended visits last year to lay the groundwork for his presidential effort. He had considerable success fund-raising (particularly in Silicon Valley), signed up a highly touted party operative in Gale Kaufman, and even scored better than expected in opinion surveys pitting him against Al Gore.

But the outlook is grim as Bradley heads into the March 7 primary. Two recent statewide polls showed Gore leading by more than 35 points, and both showed Bradley's popularity eroding in recent months. His decision not to spend a single day in California during the week following the state convention prompted speculation from the Gore camp that he's writing the state off and focusing his energies elsewhere. Even Jay Leno joked that during a campaign appearance at the Sierra Club in San Francisco, Bradley "talked about the latest name on the endangered species list—his."

Jay Leno joked that while at the Sierra Club, Bradley "talked about the latest name on the endangered species list—his."

Bradley's advisers dismiss such talk, pointing to their two television ads airing throughout California (one references Gore's flip-flop on abortion, the other features Michael Jordan's endorsement). But if California didn't offer so many delegates—one-sixth of what's needed to win the nomination—and didn't award them in proportion to a candidate's percentage of the vote, Bradley's withdrawal from the state would make sense. It's hugely expensive to mount a serious campaign here, and Bradley faces a steeper uphill fight in California than anywhere else save Gore's native Tennessee.

Some of Bradley's troubles here are self-inflicted, but most are not. His immediate problem, for example, is his inability to generate the free media coverage he needs in a huge state, and for this he can blame John McCain, whose Republican insurgency is dominating the news. But Bradley has also been hurt by the absence of Democratic primary contests since New Hampshire, which has deprived him of the opportunity to score momentum-building victories. And then there's the problem that Bill Clinton has just achieved his highest ever approval rating in California, 64 percent.

California is far from virgin territory for Gore. "He's been in the state as much as I have," says California congressman Bob Matsui, one of his supporters. Indeed, Gore has come to California the equivalent of once every six weeks since he became vice president (that's over 60 trips). Coupled with the exposure any veep receives, it means Gore is simply much better known than Bradley.

What's more, the state's Democratic establishment is wired for Gore. The vast majority of congressmen and state legislators are with him, and Gray Davis, the popular governor, is campaigning for him. Even the state Democratic chairman, a position that traditionally demands neutrality in primaries, backs Gore and has publicly reamed Bradley. (Gore's campaign chairman, Tony Coelho, represented central California in Congress for 11 years.)

More important than the endorsements, though, is Gore's support from the state's most politically active unions, the AFL-CIO and the California Teachers Association.

Matthew Rees is a staff writer at THE WEEKLY STANDARD.

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Organized labor in the state was rejuvenated by its successful fight to defeat an anti-union "paycheck protection" initiative in 1998—a crusade that Al Gore joined. Today, California's unions are "as mobilized as they've ever been," says Bill Carrick, a Los Angeles-based Democratic consultant unaffiliated with either campaign. Indeed, the CTA has already blanketed the state with 300,000 letters to its members flagging its endorsement of Gore, and its parent organization, the National Education Association, will be mailing out another 185,000 letters. As for California's AFL-CIO, its executive secretary, Art Pulaski, says the union is making one million calls to its members urging a vote for Gore. And those who identify themselves as Gore supporters will receive another call in the last three days before the vote, reminding them to go to the polls on primary day. Bradley has nothing that comes close to this get-out-the-vote effort.

This activity might not matter much in a small, politically oriented state such as New Hampshire. But elections generate little attention in California, and the state's sheer size makes it difficult to penetrate. Gray Davis, for example, has been a statewide elected official for more than 13 years, and was elected governor in 1998. But a recent poll showed that just 65 percent of California voters can identify him. Garry South, Davis's top political strategist and a Gore backer, says Bradley "grossly underestimated" how difficult it would be to get the kind of attention he needed.

Earl Keleny

Bill Bradley

To break through, Bradley's strategy has been to hammer Gore for lacking "core convictions," highlighting his voting record on abortion and guns and his less than stellar environmental record. This is smart, given the importance California's Democratic primary voters attach to these issues. But the strategy can succeed only if the local media provide coverage, and they're not providing much. On February 10, for example, Bradley held two morning campaign events in Los Angeles, where he strongly jabbed at Gore for changing his position on gun control. But the write-up in the next day's *Los Angeles Times* was a measly four paragraphs.

For all the advantages he enjoys, Gore shows no signs of overconfidence. During his three days in the state, February 10-12, he held a slew of events that linked him to most of the Democratic party's major constituencies: unions, Hispanics, women, gays, blacks, high-techies, Hollywood liberals, and health-care workers ("I love nurses," he cooed at a Los Angeles hospital). While in Los Angeles, he snuck in an appearance on Jay Leno—the kind of free media Bradley desperately needs. And in his animated address to the Democratic convention he devoted more time to attacking Bradley than Republicans.

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Bradley, on the other hand, refuses to escalate the rhetoric against Gore. He told the *San Francisco Chronicle* recently, "If the only thing that makes the news is attacks, then I don't have an audience." He couldn't even muster much passion at an event where parents spoke of how their children had been harmed by gun violence. Afterwards, as intermediate-school students mobbed him and clamored for his autograph, he never cracked a smile. Instead of leaning down to make small talk, he stood stiffly upright and robotically signed the items being thrust at him.

After campaigning at a synagogue later that day, Bradley jetted off to Seattle and didn't hold another California event until the pre-convention rally two days later. As for his convention speech, it sounded like that of a front-runner. Gore sounded like the underdog.

Bradley's lone post-convention event was held in the gym of Fremont High School in Oakland. It featured short speeches from basketball icons like Julius Erving, Bill Russell, and Phil Jackson, and was punctuated by Bradley, in sweat pants and ratty low-top sneakers, horsing around with kids doing drills.

Upbeat though the setting was, the only time I saw Bradley's face light up was when Russell entered the gym. And for someone who spent 10 years as a professional basketball player, Bradley looked extraordinarily awkward on the court. During the 20 minutes of drills, I watched him take eight shots, most from five feet or less, and he made only one.

The performance seemed emblematic. For, absent some fourth-quarter heroics, he'll be lucky if his share of the California vote much exceeds his shooting percentage. ♦

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Russia and the Missing Journalist

The disappearance of Andrei Babitsky is an ominous development. BY ARCH PUDDINGTON

EACH YEAR organizations that monitor press freedom record hundreds of cases in which journalists are beaten, terrorized, or murdered in the line of duty. The motives are sometimes economic, more often political. But the incidents are usually forgotten—regrettably, few know the names of the 40 or so Tutsi journalists slaughtered by the Hutus in Rwanda. Occasionally, however, the persecution of a reporter has wide-ranging repercussions, even to the point of threatening the credibility of a national government. The disappearance of Andrei Babitsky may prove to be just such a case.

Babitsky is the 36-year-old Russian reporter who disappeared in mid-January while covering the Chechen conflict for Radio Liberty, the American-sponsored radio network that broadcasts to the countries of the former Soviet Union. At first Babitsky was reported to have been detained by the Russian military, and his imminent release was expected. Several weeks passed, during which Russian authorities issued a series of contradictory reports: Either Babitsky's freedom was at hand or, quite the opposite, he was being investigated on various criminal charges.

On February 3 came the stunning announcement that Babitsky had been "exchanged" by the Russian army for three prisoners-of-war. Russian presidential spokesman Sergei Yastrzhembsky treated the matter as standard procedure, blandly declaring that henceforth "Babitsky's life lies with the other side." Since then, Russian officials, from acting president Vladimir Putin on down, have dismissed the journalist's fate as irrelevant, while holding to the ludicrous story of a POW swap.

Subsequently, a videotape was released showing Babitsky being led away, purportedly by Chechen rebels. This was followed by a second tape showing a haggard Babitsky indicating he was unharmed and simply wanted to go home. The Chechen rebels have denied that any exchange took place and clearly have no interest in mistreating a journalist who was providing honest war coverage. This has given rise to rumors that Babitsky was handed over to a quisling Chechen group allied with the Russians, a thoroughly frightening scenario.

Surrounding the Babitsky incident is the heavy stench of Soviet times, when those with inconvenient opinions were packed off to the gulag—often on trumped-up criminal charges—or sent to mental institutions, having been diagnosed as suffering from "sluggish schizophrenia." Dissidents were sometimes traded for jailed foreign Communists—Vladimir Bukovsky reached the West in a swap for the imprisoned leader of the Chilean Communist party. The East Germans refined this tawdry practice by trading human beings to West Germany for hard currency.

Russian society has made considerable political progress since Soviet times. But the rule of law remains fragile, and the Babitsky case is espe-

Arch Puddington is vice president for research at Freedom House and the author of Broadcasting Freedom: the Cold War Triumph of Radio Free Europe and Radio Liberty, *forthcoming from the University Press of Kentucky.*

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cially troubling, coming as it does at the beginning of the Putin leadership. Putin has centered his presidential campaign on the restoration of order, and he has made a priority of controlling news coverage of the increasingly savage war against Chechnya. Russians are told that the army's offensive has been directed exclusively against terrorists and that great care has been taken to prevent civilian casualties. Little mention has been made of the devastation of Grozny, the flood of refugees streaming from the war zone, the flattening of villages, or the increasing charges of torture and execution by the Russian army. Babitsky was hated by the authorities because he, practically alone among independent-minded Russian journalists, challenged the official line with battlefield reports rather than by commentary or propaganda.

By arresting and possibly murdering Babitsky, the Russian government is sending a chilling message to other journalists tempted to contradict the official line on Chechen. During the first Chechen war in 1994, few restrictions were placed on battle coverage, and Babitsky was just one of a number of Russian reporters who informed the Russian people that their army was suffering major defeats—accompanied by heavy casualties—at the hands of the Chechen "bandits."

Babitsky's fate may also be the government's way of intimidating Radio Liberty. During the Cold War, Radio Liberty, along with its sister organization, Radio Free Europe, played a prominent role in what came to be known as American public diplomacy. Initially established as purveyors of raw propaganda, Radio Free Europe and Radio Liberty evolved into Cold War versions of National Public Radio, disseminating news and cultural features from a democratic perspective. Where the Voice of America emphasized American culture and the official U.S. view of world events, the two "freedom stations" focused on developments within the audience countries. They comprised an alternative, independent press.

The Soviets regarded both Radio Liberty and Radio Free Europe as little more than criminal entities. Moscow spent more money trying to jam the radios' transmissions than the United States spent on their broadcast operations. When jamming proved insufficient, more direct methods were deployed. Two Radio Liberty journalists were assassinated during the 1950s; during the 1970s, Romanian agents made several attempts to kill Radio Free Europe commentators, while the Bulgarian secret service did succeed in murdering a freelance contributor, Georgi Markov, in the infamous "poisoned umbrella" case. In 1981, the Munich headquarters of Radio Liberty and Radio Free Europe was severely damaged by a bomb placed by an international gang of terrorists directed by the legendary Carlos the Jackal in an operation financed by the Romanian secret police. And for good measure, practically every

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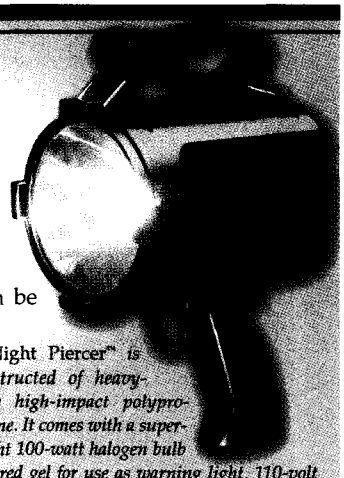

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AP/Wide World Photos

Protesters outside the Russian embassy in Paris

language service of Radio Free Europe and Radio Liberty was infiltrated by Communist spies.

Throughout most of the Cold War, Radio Liberty reporters worked from Munich, since travel to the Communist world was strictly prohibited. In the late 1980s, however, Radio Liberty took advantage of Gorbachev's *glasnost* and began to hire Russian freelancers to report on political developments from within the country.

Andrei Babitsky was one of the first non-emigré journalists hired by Radio Liberty; among other things, he covered live the attempted coup of August 1991 and the later attempt by forces opposed to Boris Yeltsin to seize control of the parliament building. He moved from political reporter to war correspondent, covering the first Chechen War, the civil war in Tajikistan, violent turmoil in the north Caucasus, and the 1999 conflict in Dagestan, which helped trigger the latest Chechen offensive.

At a time when the United States is spending millions of dollars to build "civil society" and independent institutions in countries where democracy lacks firm roots, Radio Liberty, which broadcasts to major Russian cities through AM frequencies rather than shortwave, remains one of our more effective tools. Its journalists provide listeners with news that is not only free of formal government censorship, but unaffected by the network of media moguls, party leaders, and criminal overlords that exercises an unsavory influence over the content of Russian-owned media.

Yet despite Radio Liberty's long and distinguished record, the disappearance of one of its journalists has evoked a distressingly tepid response from the Clinton administration. Although secretary of state Madeleine Albright did raise Babitsky with lower ranking Russian officials, she did not discuss the case in her one-on-one meeting with Putin. Meanwhile, President Clinton chose this unfortunate moment to hail Putin as "highly motivated," "highly intelligent," and "straightforward," the latter an incredible description in light of the lies and obfuscation that have emanated from his office regarding Babitsky.

Clinton's comments have been seized on by the Russian press as tantamount to an endorsement of Putin, who is already riding high in the polls. At the same time, they have contributed to a sour mood among Russian liberals, who fear that the treatment of Babitsky could be a harbinger of further curtailment of civil liberties.

That the American government ought to secure Babitsky's freedom, if possible, goes without saying. Even though a Russian citizen, Babitsky is, in the truest sense, one of our own, a dedicated democrat who is working to build a free press in a country where press freedom remains an aspiration, and is doing so for an American-sponsored radio network. The Clinton administration must also make clear that the United States will not stand aloof if the "highly motivated" Putin begins to chip away at the freedoms achieved under Yeltsin. Russia is not the Soviet Union; it is open to pressure from the outside world, but only if that pressure is exercised by those with diplomatic or economic power. Finally, the administration should keep in mind that one of Boris Yeltsin's first acts as president was to issue a broadcast license to Radio Liberty as a reward for its role as freedom's ally in Russia. That the persecution of a Radio Liberty journalist has marked the early months of Putin's administration should serve as an early warning that more trouble may lie ahead. ◆

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Austria Ostracized

The European Union showboats about Haider.

BY ANNE APPLEBAUM

WE ARE ALREADY more than a week into Europe's boycott of the Austrian government, but the *Sturm und Drang* show no sign of blowing over.

For one, all 14 of the European Union members who have frozen high-level bilateral contacts with Austria now face a whole series of deeply traumatic protocol crises. Is the Austrian ambassador to be invited to the meeting, not invited to the meeting, or invited to the meeting but not to drinks afterwards? Can the Austrian minister be received at the level of department chief, at the level of deputy minister, or should he not be received at all? Nor has public interest flagged. Press coverage, television debates, and anxious dinner party chat continues, even in London, where events on the continent rarely raise eyebrows, let alone interest.

And no wonder: In its swift action against Jörg Haider and his Freedom party, now a partner in Austria's new coalition government, Europe has acted with more unanimity than it has shown in years. This, after all, is the same European Union that behaved chaotically in Bosnia, was deeply divided by Kosovo, and has always been unhappy about the denunciation of military dictators anywhere in the world.

Collectively, the EU has never been known to condemn Polish and Russian, or even French and Italian, Communists—people who actively participated in or openly supported totalitarian regimes, as opposed to expressing heavily camouflaged sympathy for them. Nor did it ever dare to ostracize François Mitterrand, an actual member of the Vichy government. Yet in the past two weeks, EU members have found themselves able to agree, vehemently, about Haider. "I am used to reading communiqués condemning events in Indonesia, Africa, or Chechnya," admitted one EU diplomat, speaking of the union's letter to the Austrian president, "but this took me aback: The language was in a different league." So different is the language, in fact, that it is a touch suspect.

A journalist based in Warsaw and London, Anne Applebaum is writing a history of Soviet concentration camps.

For those who can't quite believe that all of this diplomatic hand-wringing was really about what it claimed to be about, a quick glance at the website of Jörg Haider's Freedom party is an educational experience. Immediately, one is stopped short: There aren't any swastikas. There aren't any Nazi slogans. There aren't even any little buttons you can click to see a film of the Nuremberg rally. There are, rather prominently displayed, quotations from leading Austrian Jews, testifying to the fact that neither Haider nor his party has ever said or done anything that could be construed as anti-Semitic.

Admittedly, some of these comments are a bit foreshortened. Simon Wiesenthal is (correctly) quoted saying, "Haider never said anything against Israel and has never said anything anti-Semitic." The rest of this quote, not mentioned on the Freedom party website, goes like this:

"His parents were out-and-out Nazis. Haider was educated by them. Much of what he says that is so uncontrolled he heard as a child at home. His party is a Führer party, and he is a dictator in democratic disguise."

That omission aside, much of the website is otherwise void of sensation, being dedicated not to discussions of Austria's past, but rather to Austria's future, and in particular to Haider's 20-point "Contract With Austria." The points include cutting Austria's national debt ("every newborn child comes into the world with debts amounting to the cost of a medium-range car"), reducing the immense bureaucracy, ending state television and radio monopolies by granting private licenses, cutting taxes, fighting crime, and increasing home ownership at the expense of state-run housing associations.

He doesn't, of course, leave out his two best-known policies: fighting immigration and preventing Austria from "losing more of its rights" to the European Union, not surprising since he fought against accession to the EU in 1995. Yet it is striking that most of his agenda, including immigration restrictions, would sit comfortably in the center of the American Republican party, especially its Pete Wilson wing, or even of the British Labour party, particularly its Tony Blair wing, which has itself been publicly toying with the idea of forcing all people entering Great Britain from the Indian subcontinent to pay a deposit of £10,000 to be forfeited if they fail to return home.

But on the rest of the European continent, Haider's rhetoric—and I'm not talking about the nods and winks to *Wehrmacht* veterans—is indeed new, radical, and deeply upsetting to the entrenched political elite.

Like many European nations, Austria has been run for the past 50 years by alternating Christian Democrat (soft right) and Social Democrat (soft left) governments whose policies have, over time, become virtually indistinguishable, particularly in the wake of the collapse of the Berlin Wall, which removed the one foreign policy issue that divided them. For the past 13 years, Austria has in fact been run by the most extreme version of this political system: an actual left-right, Social Democrat-Christian Democrat grand coalition whose policies were not only indistinguishable, but identical.

In an economy still dominated by

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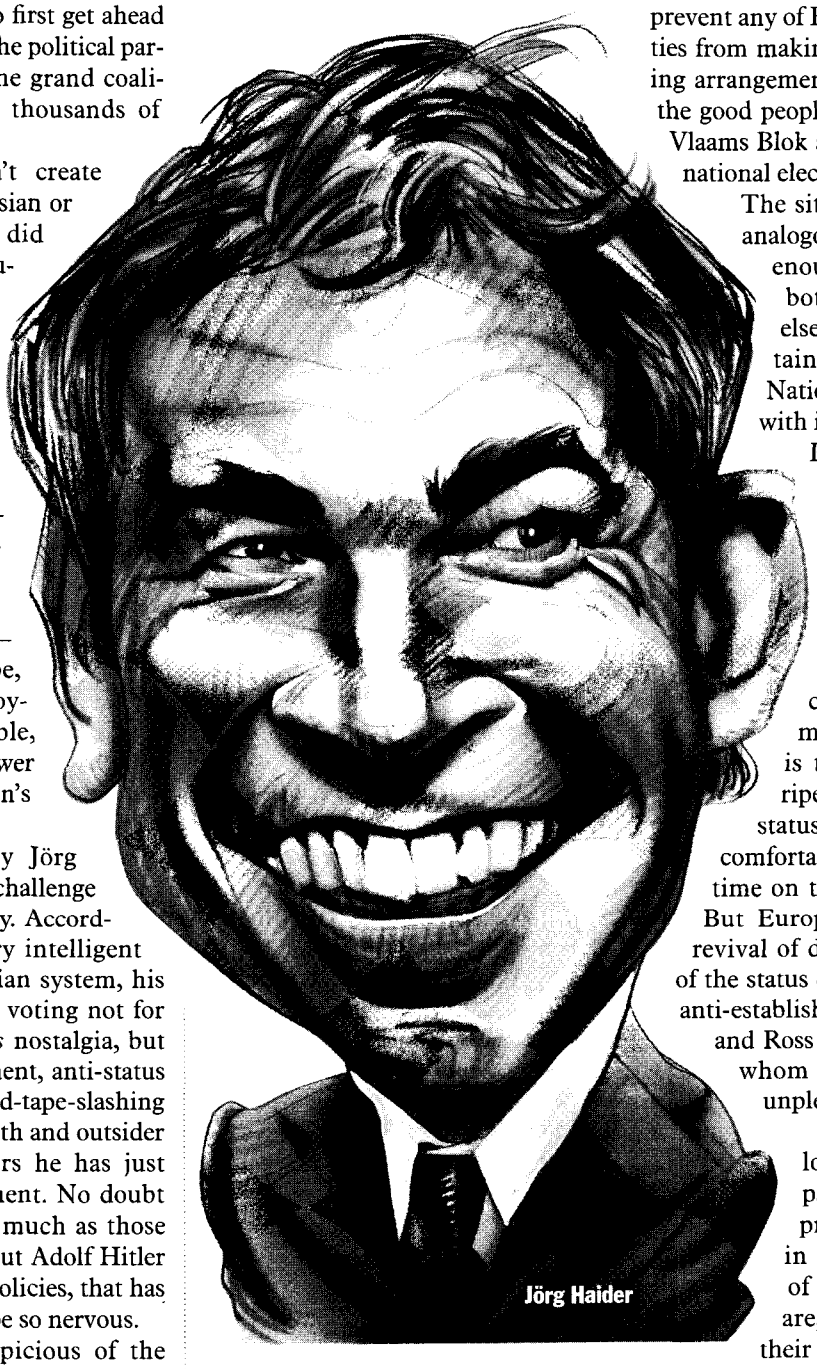
heavy-handed government control, this meant that all appointments—down, according to one observer, "to the level of school headmasters"—were carved up between the two parties. To get ahead in the enormous state sector, you had to first get ahead in one or the other of the political parties. In the years of the grand coalition, they locked up thousands of jobs between them.

This system didn't create corruption on the Russian or Nigerian scale, but it did create a stifling, bureaucratic, undemocratic society, and a stifling, bureaucratic, undemocratic political class which had absolutely no motivation to reform either itself or its country. The obvious solutions to Austria's high unemployment and general sluggishness—cut taxes, cut red tape, cut burdens on employers—were inadmissible, as they would mean fewer jobs for the coalition's members.

Unfortunately, only Jörg Haider was willing to challenge this political monopoly. According to just about every intelligent observer of the Austrian system, his supporters are largely voting not for his bursts of *Anschluss* nostalgia, but for his anti-establishment, anti-status quo, tax-cutting and red-tape-slashing appeal, and for the youth and outsider status of the ministers he has just appointed to government. No doubt that it is this, just as much as those suggestive phrases about Adolf Hitler and his employment policies, that has made the rest of Europe so nervous.

I first became suspicious of the anti-Haider movement upon realizing that it was being pushed and organized by the Belgians, whose foreign minister, Louis Michels, not only has described the Freedom party's victory as the equivalent of "a resurgence of fascist ideas in Europe," but has called for the cancellation of school trips to Vienna and a boycott on skiing holidays. This is the same Michels who is a member of a Belgian coalition government no less stuffy than the one in Austria.


Jörg Haider

Thomas Fluharty

The Belgian political elite has of late been severely challenged by the swift rise of its own home-grown anti-establishment party, the Flemish Nationalists (yes, there is such a thing), known as Vlaams Blok. According to Frans Crols, the editor of Belgium's leading business magazine *Trends*, the "puffed-up things the Belgians are doing" in response to the Freedom party's success are "completely for home consumption." Michels, in other words, is trying to prevent any of Belgium's political parties from making similar power-sharing arrangements when, as expected, the good people of Flanders give the Vlaams Blok a third of their vote in national elections next October.

The situations aren't exactly analogous, but they are close enough for discomfort, both in Belgium and elsewhere in Europe: certainly in France, with its National Front, or in Italy, with its Northern League of Piedmontese nationalists, or in Germany, where none of the leading parties, with their interchangeable policies, seems able to come up with real solutions to the country's economic malaise. None of which is to say that Europe is ripe for a rejection of the status quo. Everyone is too comfortable these days to waste time on that kind of nastiness. But Europe is very ripe for a revival of democracy, a rejection of the status quo, and the arrival of anti-establishment political parties and Ross Perot figures, some of whom may turn out to be unpleasant.

In fact, for all of their loud rhetoric in the past few days about the protection of democracy in Europe, the members of the European Union are, as a group, doing their best to suppress it, creating precisely the sort of situation in which Haider and his ilk will flourish. With every passing year, the European Union's own bureaucracy tightens its grip on the internal politics of its members, giving their politicians and their voters less con-

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trol over their own economic and social policies.

The logic of having a single European currency leads inevitably not only to a single monetary policy but to a single tax policy and a single fiscal policy: Over time, it will become simply impossible for anybody's budget to be way out of line. For better or for worse, depending on your national point of view (many Italians are quite pleased about it), economic decisions will increasingly be taken by bureaucrats in Brussels rather than politicians in national capitals. As the reality of this sinks in, nationalist revivals, complete with anti-EU and anti-foreigner rhetoric, will be unavoidable. Yet the public's concern about European integration—much like its concern about high levels of immigration—are routinely suppressed by the European political elite, which shouts down every objection to the new Greater Europe. The result is an undemocratic European leadership falling all over itself to protect the undemocratic Austrian status quo.

Of course, Haider himself isn't really worth defending in any way or for any reason. Although he hotly insists he has been misinterpreted, Haider is undoubtedly a master of the suggestive phrase, well-designed to appeal to those to whom it is meant to appeal, and equally well-designed for its worst interpretation to be unclear or deniable to outsiders: hence the praise, when speaking to a group of veterans, for those Austrian soldiers who had fought for "order, justice and decency." Bland, empty words to some, meaningful phrases to others.

How sad that he was unable to find another form of patriotism to which he could appeal. And how much sadder that no one from within the system, from the mainstream right or even mainstream left, had the courage to push for the political and economic reforms the country desperately needed years back. And how worrying that outside of Britain and Margaret Thatcher, no one else in Europe has had the nerve to do so either. ♦

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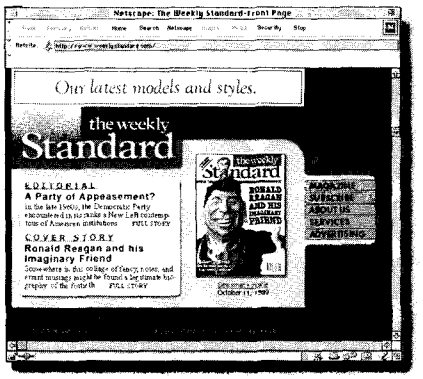

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Hooked on Ergonomics

The notorious Occupational Safety and Health Administration has a new obsession.

By Matt Labash

John Haines is a cautious man. Citing the sniffles, he breaks our appointment. "I can't go out," he says, though he is phoning from his office. "Besides, I don't want to spread germs." I assure John I'm stewing in germs from my own recent illness. "Then I don't want to catch any," he says. A few days later, John motors over to The Weekly Standard and finds our parking garage full. I assure him he will go ticketless in an adjoining alley, but John won't hear of it. "You gotta watch those $20 citations," he says, trekking off to a garage some distance down the street.

John knows a bit about citations, as an industrial hygienist with the D.C. branch of the Occupational Safety and Health Administration. A veritable haven for safety-obsessive meter maids, OSHA houses the most prolific citation-writers of any federal agency, and their popularity reflects it. Last December, in a customer-satisfaction survey conducted by all federal agencies, OSHA tied for last place—with the IRS.

But John has not come to write citations. He is here at my invitation, as part of OSHA's voluntary consultation service, which affords businesses a chance to escape regulatory wrath by making sure they comply with OSHA's innumerable safety standards. In light of the agency's recent concern that workplaces be ergonomically outfitted (ergonomics is the study of the body's interaction with the work space), I'm interested in finding out whether mine is sound. My office has always resembled an archaeological dig—a paper graveyard of stories past. But while the average eye might consider it unkempt, John sees a potential deathtrap.

He takes a seat in my chair and says it's not up to specifications (indeed, when I later read OSHA's "Working Safely With Video Display Terminals," I see that my seat-pan should be 45.72 centimeters wide and "slightly concave with a softly padded 'waterfall' edge"). Other hazards abound. The lighting casts a glare on my computer screen that could cause "eye strain." The cups of water on my desk are a "hygiene violation." The papers on the floor are impeding my escape route and could result in "ignition from spontaneous combustion." As for my computer set-up, don't get John started. My keyboard is too high, as is my chair, which could imperil the circulation behind my knees. John says my mouse, which sits three inches from my keyboard, is not close enough—unless I fancy being a ticking carpal-tunnel time bomb. John says I need a foot rest to alleviate back strain. (I tell John I don't have back strain. He doesn't seem to care.)

John says when I lift anything, "even a paper clip," I should visualize the lift, tuck the pelvis, bend the knees, and "hug the load."

John is also concerned about my behavioral practices. For instance, when I lift anything, "even a paper clip," I should visualize the lift, tuck the pelvis, bend the knees, and "hug the load." (John supplies a handout.) When keystroking, I must be sure to take frequent stretch breaks. In fact, John sets his own alarm to go off every half hour, just as a reminder. I mean to ask John if OSHA requires that somebody feed me grapes as I work, but his watch alarm goes off. I wait for him to stretch, but there's no time.

John has to go, and as I show him to the restroom, he's still thinking safety first. The Weekly Standard restroom passes muster on soap, towels, and toilet seat covers. But as John unzips at the urinal, his head rolls back and he inspects the ceiling. "Proper ventilation is

Matt Labash is a staff writer at The Weekly Standard.

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very important," he scolds. John is gone now. But he has left me with much to think about, including a 19-point checklist on ergonomic stress at workstations, an 82-point OSHA safety checklist, a 44-point Army ergonomics checklist, and another 24-point ergonomics worksheet followed by a 145-point corrective action checklist.

Ludicrous though it may seem, this episode will be repeated, though not so amicably, in millions of workplaces across America if OSHA has its way. Late last year, OSHA quietly published its proposed ergonomics rule—a set of regulations for curtailing musculoskeletal disorders that takes up 311 pages in the *Federal Register*. If implemented as is, the ergonomics standard would apply to nearly every occupation, imposing a multi-billion-dollar burden on American industry and effectively permitting OSHA micromanagerial oversight of historically unregulated preferences—such as the height of your chair.

OSHA defines a musculoskeletal disorder (MSD) as an illness or injury to soft tissues of the upper and lower extremities, as well as the back, "primarily caused or exacerbated by workplace risk factors" such as "repeated exertion" or "awkward postures." Its manifestations include everything from carpal tunnel syndrome to Raynaud's phenomenon to DeQuervain's disease to carpet-layer's knee—all falling under the umbrella of what one industry source calls "Jeffress's Pain In The Ass."

That would be Charles Jeffress, head of OSHA since 1997, who accuses Republicans of playing politics with ergonomics. Sure enough, Republicans in Congress have been staving off the ergonomics rule for years. But last November, Senate Democrats threatened a filibuster to overcome a GOP blocking maneuver. The day after Congress adjourned, Jeffress, playing a little politics of his own, unveiled his rule, starting the clock on a 60-day period for public comment. A man with a mission, Jeffress likens his task to that of St. George, who slew a dragon to win Britain's freedom. He has vowed to enact the ergonomics rule this year—before a 12-month National Academy of Sciences study can cast doubt on the underlying "science" or a potential Republican administration can finally derail it.

This has industry groups panicked. Even by OSHA's own miserly estimates (which have doubled since February 1999), the rule would cost industry $4.2 billion—making it the costliest regulation the agency has ever imposed. This number, however, is in fierce dispute. The Small Business Administration puts the cost at $18 billion, while Food Distributors International, which conducted a six-figure analysis of its own, says it will cost the food-distribution industry alone $26 billion, with $6 billion in annual follow-up costs.

So far-reaching is OSHA's rule that even some administration officials are balking. According to an internal memo obtained by THE WEEKLY STANDARD, one OSHA official informed Jeffress, "We have a serious political problem at Commerce. Secretary Daley . . . is deeply opposed to our rule as currently drafted" and "could well start lobbying the Secretary/Office of Management and Budget/White House." According to the memo, commerce secretary William Daley's policy director, Jon Orszag, formerly among OSHA's strongest allies, "feels convinced our rule is too broad, the grandfather clause is inadequate, etc."

And lately, OSHA has had public relations troubles. In January, the *Washington Post* surfaced an advisory letter sent to a Houston credit services employer, T. Trahan, who wished to know what his safety obligations were to his employees working at home. OSHA informed him that an employer was responsible for eliminating safety hazards from home offices, noting that if an employee works in his basement and "the stairs leading to the space are unsafe, the employer could be liable."

Politically, this was the equivalent of OSHA's soaking itself in benzene and toasting up a cigarette (an act prohibited by OSHA standard 1910.1028, App. A, SubPart 2, Paragraph VIII). The unanimous editorial denunciations

Illustrations by Fred Harper

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and general ridicule that ensued were reminiscent of the mid '90s, when newly elected Republicans related OSHA horror stories about dentists afraid to return children's baby teeth for tooth-fairy recompense lest they violate disposal procedures (OSHA said the fear was groundless) and employers fined for failing to warn employees not to eat the toner from the copier machine.

Labor secretary Alexis Herman withdrew the advisory letter the next day to prevent "widespread confusion," and eventually assured employers they wouldn't be subject to home inspections. To achieve clarity, Herman called for the Clinton administration's favorite all-purpose salve, "a national dialogue." Promised House majority leader Dick Armey, "This will be a short, one-sided conversation."

Though the ergonomics proposal has yet to generate as much public outrage as the letter on home offices, it should. The word "ergonomics" derives from the Greek words *ergos* (work) and *nomos* (laws). While it is difficult to settle on a generally agreed definition (books by ergonomists spend entire chapters hashing out what exactly ergonomics *is*), OSHA defines it as "the science of fitting the worker to the job," in employment where repetitive motions can result in musculoskeletal disorders. Such elusive notions—and the general scarcity of quantitative analysis in epidemiological studies—can cause even fellow soft scientists to mention ergonomics with a smirk. Many hard scientists consider ergonomics on a par with, say, phrenology.

A tortilla chip company has boasted of its chips' "unique ergonomic shape"—indented for "easy thumb and forefinger grip."

The "emerging science" of ergonomics began around the turn of the century, as studies were conducted to determine how to streamline tasks for productivity. It got a boost during World War II, when pilots in cramped cockpits confused their flap controls with their landing gear, causing hundreds of accidents and making clear the need for better-designed fighter planes.

In the last two decades, ergonomics has forsaken its emphasis on ease-of-use to become a quasi-religion of preventive medicine. And it's not just the horny-handed sons of toil on auto assembly lines and slaughterhouse floors who need protection. Seventy percent of the work force now sits for a living, often in front of computers. It's a group that consists primarily of aging white-collar baby boomers, a demographic never renowned for its stoicism. They are largely untouched by old industrial-revolution hazards, such as fractures and severed limbs, but suffer instead from often undiagnosable symptoms, such as wrist pain and tingling fingers.

Though journalists had been typing away on clunky, poorly designed typewriters for decades prior to the '80s, the increased use of computers saw them discovering new discomforts like carpal tunnel syndrome (resulting from pressure on the median nerve within the wrist's carpal tunnel). Though no scientific study has ever proved that keyboarding alone causes carpal tunnel syndrome, that hasn't kept stories from proliferating over the last 15 years. Ergo, ergo-nuttiness knows no bounds. A phone-sex employee in Florida, for instance, recently won a worker's compensation settlement claiming she contracted carpal tunnel syndrome from masturbating up to seven times a day while talking to clients.

With new maladies comes new consumer demand, which is why "ergonomic" is not so much a scientific term as a marketing one. Today, it is possible to purchase all things "ergonomic," from violas to vibrators. A tortilla chip company has boasted of its chips' "unique ergonomic shape"—indented for "easy thumb and forefinger grip." A Notre Dame student designed an ergonomic electric chair, sparing convicts the distress of facing electrocution without proper lumbar support. With no regulatory oversight, manufacturers are on their honor when claiming their products are "ergonomically correct"—even if the science has not yet determined, for example, how much or even whether typing in a certain position causes injuries. Even a self-proclaimed ergonomically correct product like Microsoft's wave-shaped keyboard may bear a warning that continuous use can cause repetitive stress injuries.

Ergo-hysteria, naturally, is great for ergonomists, who for decades have been relegated to science's children's table. Uncertified, they are largely drawn from the ranks of industrial hygienists, engineers, and psychologists. Even the Human Factors and Ergonomics Society, an association of more rigorous ergonomists, has a relatively low threshold for entry: five years experience and a bachelor's degree *in anything* (only 6.5 percent of its members have a medical background). Nothing promises to be better for ergonomists than OSHA's proposed regulations. Within days of its announcement, press releases were flying from altruistic ergonomists offering wares from the "Ergercise Video" to the "BioErgonomics and Stretch Station.™"

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Even without the proposed rule, OSHA has for years fined companies for ergonomics violations under the 1970 OSH Act's general-duty clause, which obligates employers to provide hazard-free workplaces. Historically, OSHA has interpreted this seemingly benign clause as license to pounce on anyone for anything, often to comic effect. In 1992, OSHA tagged the American Brush Co. for permitting employees to operate a "heavy 1.8 lb. tape dispenser which places a great amount of torque on the hand and wrist." Shaw's Supermarket subjected its employees to "sustained shoulder adduction" and dangerous "static wrist extensions with the power grip." Sounds pretty dangerous, until you learn the above activity involved squeezing icing from a bag to decorate a cake.

Sometimes OSHA safety inspectors double as feng shui consultants. They instructed an Ohio Kroger grocery store to "locate the cash drawer to the side of the cashier (opposite the bag stand) at a height of 32-36 inches from the floor." And when Anamet Inc. of Illinois was ordered to provide wide "adjustable-height foot rests," OSHA specified that employees' feet were to perch "at an angle of twenty-five degrees from the horizontal."

Most of the time, companies hold their nose and swallow their medicine, electing not to challenge OSHA in costly litigation (OSHA fines range up to $7,000 per small violation, $70,000 per serious violation). But as employment lawyer Eugene Scalia details in a forthcoming Cato Institute study, OSHA has suffered devastating losses in the only three ergonomics cases litigated to judgment. In the first two cases, OSHA couldn't prove the injuries were caused by work. In the third, the judge had the testimony of the agency's experts stricken as falling afoul of the Supreme Court's junk-science test.

Such setbacks have only steeled OSHA's nerve, while prompting industry critics, like National Coalition on Ergonomics counsel David Sarvadi, to call such agency enforcement measures "ramrod jobs."

While OSHA is required to provide a comment period, allowing critics to register their objections, it has done so on an exceedingly fast track. Only in the face of protests from Congress and industry did it extend the 60-day period to 90 days, ending March 1. Even so, Sarvadi says it has been impossible to obtain in time from OSHA's docket office all of the over 50,000 pages of exhibits needed to mount an adequate rebuttal.

The regulations and explanatory preamble are a hulking monstrosity. OSHA claims it's an easy read, proudly asserting that in compliance with Al Gore's Reinventing Government initiative, it's all written in "plain language." Fans of Gore's "Global Information Infrastructure: Agenda for Cooperation" will recognize the accessible, crackling prose style.

OSHA never uses more than once a term it can turn into an acronym. Even such a plain-language-ism as "personal protective equipment" becomes "PPE." Already on the second reference, "flexor pollicus longus"—whatever that is—is "FPL." Between the acronyms unfolds an elaborate string of regulations that is not just daunting and burdensome but asinine.

Getting OSHA's ergonomists to defend the particulars in a sustained Q&A is no easy feat. When I called one, he said, "I have to send you to the media gestapo. There's always paranoia here, [but in light of OSHA's recent PR fiasco over home offices] there's even more now." After I waited several days to be cleared for an in-person visit, which they initially indicated would be no problem, a flack finally responded: "I've been told we have to defer your request to another time." Translation in plain-language format: "No."

OSHA's reticence is understandable. The only lines of

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work that draw exemptions under the sweeping rule are construction, maritime industries, and agriculture—and only because OSHA intends to impose individual ergonomics regulations on each at a later date. But the rule doesn't actually come right out and say this. Instead, it claims just three groups are covered: manual handling jobs (grocery baggers, garbage collectors, etc.), manufacturing jobs, and "other jobs with MSDs"—that is, whose workers are susceptible to musculoskeletal disorders, a category that encompasses the whole of American industry.

In another ploy, OSHA leavens its intricate requirements with glimpses of how much worse they could've been. For instance, OSHA was considering requiring every employer to assess his operation to determine where "MSD hazards" were present. But in its beneficence, the agency will not require this assessment and will simply assume that hazards are lurking everywhere.

The proof that dire measures are needed, OSHA claims, is the recent proliferation of work-related MSDs—but this misleads on several counts. First, repeated-trauma injuries have actually *declined* 24 percent since 1994 and make up just 4 percent of workplace injuries and illnesses. The high-profile threat of carpal tunnel syndrome, which OSHA usually assumes is caused by typing, has been grossly inflated. The Bureau of Labor Statistics says a mere 0.6 percent of all reported injuries that required time away from work were due to use of keyboards. But OSHA lays it on thick, claiming the percentage of carpal tunnel cases that required more than 30 days away from work exceeded that of fractures and even amputations.

Second, as all parties admit (though OSHA does so only in passing in its sprawling document), science has not so far been able to isolate single predictors of musculoskeletal pain, which is subjectively experienced but not always observable. Pinning down causation is hard, and OSHA has selectively pulled findings to buttress its position. One of the studies OSHA touts loudest is a review of the literature conducted by the National Institute of Occupational Science and Health (NIOSH). But even some of the NIOSH study's own peer reviewers noted it failed to take account of contradictory findings or back up with evidence its judgment that work caused the pain.

OSHA concedes that MSDs have multiple causes: everything from pre-existing medical conditions like diabetes to "psychosocial factors" (several studies show job dissatisfaction is often characteristic of people citing pain). But this doesn't stop OSHA from using the term "work-related MSDs" as if it meant something more than pain an employee complains of while at work. Dr. Howard Sandler is an occupational medical expert associated with the industry-backed National Coalition on Ergonomics. But over the years, he did more than $1 million in contract work for OSHA.

Sandler, who regularly consults on MSD cases, says a sweeping regulation triggered by employee complaints is a recipe for disaster: "Maybe what the employee wants is a new desk. Maybe they just want attention. And maybe, if the carpal tunnel syndrome is from obesity, and you have a 280 lb, 5' 1" typist, until she loses 100 pounds, guess what ain't going away—her carpal tunnel syndrome." Sandler himself has bilateral carpal tunnel syndrome. "But I have mine from gout," he says. "As long as I don't drink, I don't have problems. So every Friday and Saturday night, I have a little wrist pain."

OSHA has no time for such considerations. It is too busy fashioning lists. For instance, when an employee complains of an MSD, his employer, instead of implementing a full ergonomics program, can opt for a "Quick Fix." Here is the Quick Fix list:

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a. Make available to the employee OSHA's MSD management standard.

b. Work with the employee to eliminate the hazard within 90 days (e.g., if the employee is experiencing a typing-related MSD, try a voice-activated computer).

c. Put these Quick Fix measures in place within 90 days of identifying the problem, then check in 30 days to make sure they're working. (OSHA says the best way to do this is to "ask the employee," but notes that employers will have "materially reduced" hazards if they implement controls that a "reasonable person" would assume reduce the likelihood of injury. Lacking expertise, OSHA does not define a "reasonable person.")

d. Keep a record of the Quick Fix measures.

e. Implement a full ergonomics program if the Quick Fix fails or another MSD of the same type occurs in the same job within three years.

Naturally, each of the five points has subpoints, and those often have offspring. For example, making available OSHA's management standard sounds simple. It's not. It involves: providing a prompt response to an injured employee, providing him a free health-care professional (HCP) for diagnosis and treatment, providing the HCP information about the job, the perceived MSD hazards, and the ergonomics standard, and obtaining a written opinion from the HCP on how to manage the employee's recovery. While calling in an HCP is generally considered optional, following his advice is not: Once an HCP has recommended putting an employee on work restriction protection (WRP), the employer has only to obey.

If, God help you, your Quick Fix program doesn't work, you will of course be required to adopt the full 311-page ergonomics program.

On the other hand, if the HCP concludes the employee likely injured his back playing 36 holes of golf last Saturday, the HCP is not allowed to tell the employer. In fact, to keep things simple for employers, OSHA helpfully assumes that all injuries are work-related. If the HCP suggests WRP, the employee is put on light duty at full pay. If, however, the employee must cease work altogether, the employee is entitled to a six-month vacation at 90 percent of pay and 100 percent of benefits, unless he's ready to return before then and the hazard has been fixed.

OSHA concedes much of this might be unnecessary if an employer already has an effective ergonomics program in place. OSHA merely insists that the program meet all the agency's basic obligations and record-keeping requirements, as well as eliminate or "materially reduce" all MSD hazards. This is another bit of regulatory sleight-of-hand—call it the Do Exactly What We Say And You're Okay Grandfather Clause (DEWWSAYOGC).

If, God help you, your Quick Fix program doesn't work, you will of course be required to implement the full ergonomics program, the one that takes hundreds of pages to explain. To get just a taste of the complexities, pick one of its provisions at random—say, the training section. You might think training would be easy: Call a staff meeting, slap on a video, break for lunch. You would be wrong. Not only does OSHA suggest that training include a Q&A, but non-English speakers must be trained in their mother tongues, and English speakers must be trained at their various levels of comprehension.

If an employee can't read, the employer is obligated to "provide information orally or through visual displays or graphics," OSHA says. And those graphics, says OSHA, sounding like a schoolmarm instructing her class on a craft project, should not be "stale" or "invisible." They must be "visually appealing," and the employer must convey them in "plain language"—as OSHA itself is so fond of doing.

Near the end of the ergonomics rule, readers who haven't dozed off or quit in frustration will find a table setting forth OSHA's cost estimates. It shows, industry-by-industry, what percentage of profits affected firms will lose to compliance costs. Assuming a "worst-case scenario" (when companies can't pass the cost on to consumers), makers of bakery products can say goodbye to 19.08 percent of their annual profits. Grocery stores will lose 35.7 percent of their annual profits. Department stores will hemorrhage 41.53 percent of their annual profits. And, under this worst-case scenario, according to OSHA's own numbers, makers of mens' and boys' clothing can kiss off 161.69 percent of their profits—meaning they will need to find second jobs to pay for compliance at their first ones.

OSHA concludes "that the proposed standard is economically feasible" because, well, it doesn't really say—you'll have to trust the agency here. Of course, if OSHA's ergonomics proposal stands, the agency will likely have to set up its own Quick Fix program for all its lawyers, at risk of carpal tunnel syndrome from banging out trial briefs in the avalanche of litigation that will inevitably ensue. By contrast, private industry will have an attractive alternative: Ignore OSHA altogether and continue doing business as usual—from Mexico. ♦

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United We Surf

The Clinton administration and the business community are eager to solve a problem—the "digital divide"—that doesn't exist.

By Eric Cohen

Outside an August 1998 trade show in Santa Clara, Calif., a coalition of left-wing Bay Area groups denounced Silicon Valley for failing to share its wealth with minority consumers and employees. "Intel, Intel you're no good, / bring computers to the 'hood," the protesters chanted. An Intel spokesman complained to the *San Francisco Chronicle* that the giant chipmaker was being unfairly singled out; the company had a racially diverse workforce, she said, and besides, in the previous year Intel had donated $100 million in cash and equipment to education groups.

The spokesman had failed to grasp the essence of the fast-growing social justice movement that aims to end the "digital divide"—inequality between the rates at which rich and poor, black and white, use high-tech goods and the Internet. It's precisely because booming tech companies are progressive, charitable, and loaded with cash that the civil rights movement and anti-poverty activists have targeted them. And for the tech companies themselves—always keen on building market share—the idea of giving equipment to the poor is an attractive one, especially if their philanthropy is defrayed by government subsidies. The political class, for its part, with the Clinton-Gore administration leading the charge, has proved highly enthusiastic. Few things can be more appealing to a politician than fighting for the poor by hobnobbing with billionaires. Perhaps unsurprisingly, given everything that's in it for them, the crusaders have barely slowed down to ask: Is there really a digital divide? Is it in fact a consequential social problem?

The digital divide is now the hottest social policy issue in Washington. It's the "new new thing" in civil rights politics. It has captured the imagination (and deep pockets) of major foundations, leading high-tech companies, the New Democrat economic-policy gurus, and even prominent Republicans—Virginia governor James Gilmore has challenged the high-tech community "to step forward and make a commitment to close the digital divide."

President Clinton made "closing the digital divide" a major theme of his State of the Union address. Al Gore in his stump speech calls this a "national crusade." The Clinton administration has announced a $2.4 billion campaign "to slam shut the digital divide." "If we don't do it now, we will never get around to doing this," Clinton told an audience of poor schoolchildren, wealthy high-tech CEOs, and civil rights leaders. In its press release, the administration called its initiative "From Digital Divide to Digital Opportunity"—the same title as a speech Rev. Jesse Jackson had given four months earlier, in which he called Silicon Valley leaders a "national disgrace." Jackson's slogan is, "We want to be shareholders, not sharecroppers."

The high-tech community is listening: America Online, Intel, Microsoft, and others have made "closing the digital divide" Philanthropy Mission No. 1. "This may well be the leading civil rights issue of the 21st century," AOL chairman Steve Case said in a speech last May. "We've got quite an agenda facing us." AOL has gotten very close to the Clinton administration on this subject, as *Business Week* pointed out last week in an article headlined "One Wired Nation, Indivisible? Or One Big Boondoggle?" The company's self-interest is obvious. Not only does AOL stand to profit greatly if the government starts subsidizing Internet access; more important, it now needs the FTC's approval for its $170 billion buyout of Time Warner.

Later this spring, President Clinton and commerce secretary William M. Daley will travel the country on "close the digital divide" tours. They'll quote Martin Luther King Jr., and talk about "equal access." They'll tell stories about schoolchildren whose lives have been changed by using the Internet. They'll praise the high-tech CEOs (like Case) who have stepped up to close the "information gap" and criticize those that have ignored it.

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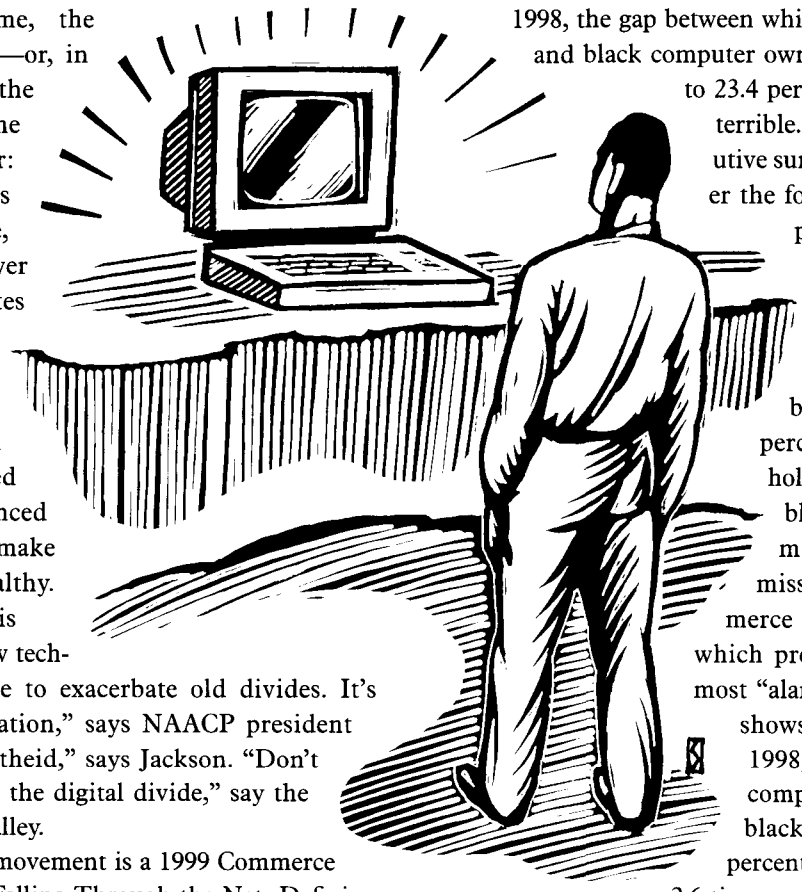
They'll celebrate the Clinton era of prosperity and promise not to "leave anybody behind." They'll proclaim, sometimes in the same compound sentence, that we have the "lowest minority unemployment rate in history" but that there is a "widening gulf"—a "racial ravine," as the Commerce Department calls it—between "those who've got access to the tools of prosperity and those who don't." The whole thing is called a "New Markets Tour," but it will consist largely of new government spending proposals.

In reality, the "new new thing" in civil rights politics is just the latest variation on an old civil rights theme, the problem of inclusion—or, in digital divide-speak, the problem of access. The argument is familiar: Blacks and Latinos (unlike Asians) have, on average, lower incomes than whites because they have been ignored by the old-boy networks, shut out of the capital markets, and excluded from the well-financed elite schools that make white people so wealthy. Institutional racism is still the norm, and new technologies only promise to exacerbate old divides. It's "technological segregation," says NAACP president Kweisi Mfume; "apartheid," says Jackson. "Don't throw us aside, / close the digital divide," say the protesters in Silicon Valley.



Neil Shigley

The bible for this movement is a 1999 Commerce Department study—"Falling Through the Net: Defining the Digital Divide"—that activists cite with the agility of Talmudic scholars. "Whites are 2.5 times more likely to have home Internet access than Blacks and Latinos"; "the gap between whites and blacks grew by 53.3 percent between 1997 and 1998"; "more than a third of white families earning between $15,000 and $35,000 per year own computers, but only one-fifth of blacks do"—for reasons, President Clinton claims, that "we don't entirely understand."

There are other interesting statistics in the report: Asians at every income level are more likely than whites to own a computer; two-parent families of all ethnic groups are twice as likely to have Internet access as single-parent families (four times as likely among African-Americans). But these statistics are not cited with the same frequency or alarm as the official statistics on the race gap. "There just aren't the advocacy groups in place for single-parents," says Anthony Wilhelm, director of communications policy at the Benton Foundation, perhaps the key player in the digital divide movement and a major beneficiary of AOL's multimillion-dollar largesse.

On the subject of race, the official statistics tell an ambiguous story. The major piece of evidence for Daley's "racial ravine" is the following: Between 1994 and 1998, the gap between white computer ownership and black computer ownership grew from 16.8 to 23.4 percentage points. Sounds terrible. But read past the executive summary, and you discover the following: In 1994, 27.1 percent of white households and 10.3 percent of black households had computers. In 1998, the comparable figures were 46.6 percent for white households and 23.2 percent for blacks. Some basic arithmetic—conspicuously missing from the Commerce Department study, which presents the data in the most "alarming" possible way—shows that from 1994 to 1998, white ownership of computers rose 72 percent, black ownership rose 125 percent. In 1994, whites were 2.6 times as likely as blacks to own computers; in 1998, they were only twice as likely. The divide is not yawning wider; it's closing.

This trend is consistent with another major study of Internet access—"The Digital Melting Pot," published by Forrester Research—which found that African Americans are getting home Internet access at a faster rate than any other ethnic group. Ekaterina Walsh, author of the Forrester study, projects that 40 percent of black households will be online at some point this year, while 44 percent of whites will—hardly a "racial ravine." Walsh gives three reasons for this: the rapid decline of computer prices; the

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increasing availability of free Internet access; and the surge of first-time computer buying during the 1998 and 1999 Christmas shopping seasons—periods not included in the Commerce Department study, which collected its data in December 1998. In Internet Time (computers are penetrating the market place seven times faster than electric service did and five times faster than telephones), December 1998 is another era. Even Larry Irving, former head of the National Telecommunications and Information Administration and the driving force behind the Commerce study, concedes that "we did miss a certain amount of information with regard to lower-priced PCs."

The Commerce study also exaggerated the "widening gap between technology haves and have-nots" by excluding computers outside the home—in the workplace, in schools and libraries—from its many white vs. black comparisons. Indeed, in its 1998 report, which is the basis for its many "alarming" comparisons, the Commerce Department did not even collect data on out-of-home access. Digital divide advocates skillfully blur the issue to their political advantage: If it weren't for E-Rate (the Clinton-Gore program that uses new federal phone taxes to connect rural and inner-city schools to the Internet), they say, the digital divide would be worse. If government didn't step in, the racial ravine would be a racial abyss. But in their speeches, Clinton-Gore officials continue to use the Commerce Department figures that exclude school and work access—which is where most Americans, African Americans included, actually use the Internet.

Some sort of stable home life is what poor children desperately need. Not increased access to technology or the Internet.

As much as a crusade, closing the digital divide has become a cottage industry for many Washington-New York-Silicon Valley intellectuals, civil rights leaders, and philanthropy bureaucrats. The Rainbow/PUSH Coalition, the National Urban League, the NAACP, and the Leadership Conference on Civil Rights have all called the digital divide the "new frontier of the civil rights movement." The Commerce Department has created a digital divide clearinghouse—digitaldivide.gov—to monitor the nation's progress. Nine major corporations (AOL, AT&T, Bell Atlantic, BellSouth, Gateway, Intel, iVillage, Microsoft, SBC Communications), the Ford Foundation, and the National Urban League have partnered with the Benton Foundation to create the Digital Divide Network (DDN), a clearinghouse "to enable and facilitate the sharing of ideas, information and creative solutions."

But apparently not all ideas are worth sharing. Andy Carvin, senior associate at the Benton Foundation and editor of the DDN, told me that "the website is absolutely comprehensive." But the Forrester report and other critical articles—such as those by David Boaz of the Cato Institute and Adam Clayton Powell of the Freedom Forum—are nowhere to be found. Anthony Wilhelm, communications policy director at the Benton Foundation, says of the Forrester report and others that criticize the concept of a digital divide, "the values these reports promote are not appropriate for a democratic society."

B. Keith Fulton, director of technology programs at the National Urban League, is similarly dismissive: "The Forrester study was based on 1,500, maybe 2,500 people polled by telephone. A lot of poor people, maybe 20 to 30 percent, don't even have phones. The Commerce Department study went door-to-door to 48,000 people. Now who are you going to trust? Methodology becomes important here." Maybe so, but the Forrester report was in fact based on a mail survey of 85,000 people.

Not that either study is without weaknesses, but Forrester's numbers and projections are certainly more current and closer to reality than the Clinton administration's claims of a widening "racial ravine." You get the feeling, though, that the digital divide movement has already moved well beyond the need to be grounded in fact. It's now grounded in the need to perpetuate a winning issue. If there is no divide, there is no movement, so there must be a divide. Or, as Wilhelm puts it, "The [Benton] Foundation's identity has become closely connected to the digital divide and other equity issues."

In fact, the Commerce Department study has some very interesting findings—two in particular—that are either not discussed or not effectively explained. The first is that blacks and whites with incomes over $75,000 per year own computers and use the Internet at roughly the same rate, while low-income whites are almost twice as likely to own PCs as low-income blacks. Second, the divergence between single-parent and two-parent households is striking: 61.8 percent of married couples with children own computers, while only 31.7 percent of female-headed households do. Dual-parent white families are twice as likely to have Internet access as single-parent white families; dual-parent black families are four times as likely to have Internet access as single-parent black families. An obvious reason, besides income, suggests

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itself: Men are more often early adopters of technology than women.

Altogether, the evidence suggests something like this: The economic boom of the last few years has made the vast majority of American families more wealthy; it has created millions of new high-paying jobs, especially in technology industries. As with white families, this has raised the incomes of millions of upwardly mobile black families, who now have enough money—and the desire—to buy computers. But there is a portion of the black community—a significant minority—that is not only chronically poor but burdened by unsafe streets, gang violence, and utter hopelessness. This group, not surprisingly, is not surfing the Web.

The key factor, as usual, is not race but income and marriage. In 1997, 69.2 percent of black children were born out of wedlock. This is the great tragedy that political leaders and captains of the computer industry who are philanthropically minded should be talking about. This—far more than "technological segregation" or "apartheid" corporate boards—is what shuts off poor children from American prosperity. Some sort of stable home life is what they need more than access to the Web. Which is, of course, the other great unsubstantiated claim of the digital divide movement: that what children especially need to succeed is more time in front of a computer. Skepticism about this claim actually grows the more one is familiar with how kids actually use computer access.

Couched in pro-market language and the hyperbole of the Internet age, the effort to close the digital divide is the latest version of the Jesse Jackson approach to social policy: talk about anything except the real cultural crisis of the underclass. To be sure, some of the digital divide efforts will have some positive effect—especially those dedicated to real mentorship rather than just computers in the classroom and technology courses for teachers. There are no doubt worse things big government and corporate America could be spending money on. But, on balance, this latest crusade—the "fourth movement in the civil rights symphony," Jackson calls it—is based more on myth than reality, and offers only mythical solutions to real problems. ♦

EXTRA! EXTRA!

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For an analysis of the results and their meaning by

WILLIAM KRISTOL

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Happy Valentine's Day . . . For Whom?

By Valentine's Day, America will have more than 2 million of its citizens behind bars.

- America, with less than 5% of the world population, has a quarter of the world's prisoners.
- There are six times as many Americans behind bars as are imprisoned in the 12 countries that make up the entire European Union, even though those countries have 100 million more citizens than the US.
- Our jails and prisons have literally become the 51st state, with a greater combined population than Alaska, North Dakota and South Dakota.
- Two-thirds of the inmates in America's prisons and jails — over 1.2 million prisoners — are locked up for non-violent offenses. Since 1980, the number of non-violent prisoners has tripled and the number of drug prisoners has increased seven fold.

Source: Justice Policy Institute, "The Punishing Decade: Prison and Jail Estimates at the Millennium," December 8, 1999.

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M. Heim's *House of Hector Berlioz on Rue St. Vincent* (1912). UPI / Corbis-Bettmann.

Sex and the French Novelist

The Unfinished Career of Roger Martin du Gard

By Christopher Caldwell

"Swastika on the roof," the French novelist Roger Martin du Gard wrote in his diary for June 24, 1940. "Feeling of servitude." The German armies that overran his country estate in the Orne, west of Paris, left him feeling not just servile but intellectually humbled. Three years earlier Martin du Gard had received the Nobel Prize, largely for his eighteen-hundred-page family epic *Les Thibaults*. In that book, he sought to do for World War I (in which he fought) what *War and Peace* had done for the Napoleonic wars: describe from top to bottom the mindset of a society turned upside-down. In France's case, that mindset was (as he put it in his Nobel acceptance) one of "stupefying inertia."

Martin du Gard was convinced that Europe was shifting decisively away from an order that had begun with the Renaissance. What it was shifting toward he couldn't say, but until he found out, he insisted that pacifism should be the fighting creed of all such agnostics: "Anything, anything—literally *anything*—rather than war!" he wrote. "Invasion, subjugation, dishonor—rather than the massacre of the population." He backed the Munich agreements. He signed a pacifist petition in the wake of the German takeover of Austria. By the time the Germans marched through his own wrought-iron gates in 1940, he saw that his reasoning had led him far astray. "What I want to do is flee," he wrote his fellow novelist André Gide. "Turn my back on everyone and everything, go to ground somewhere and wait for the madness to burn itself out."

Lieutenant-Colonel de Maumort
by Roger Martin du Gard
translated by
Luc Brébion and Timothy Crouse
Alfred A. Knopf, 778 pp., $35

That's what he did. Except for a brief memoir of his friendship with Gide, Martin du Gard never published another book. Instead, he spent the last eighteen years of his life—first in Nice, then in Cap d'Antibes in unoccupied France, then back in the Orne after the war—working on a novel that would describe humanity's path from the Europe of the last decades of the nineteenth century (which Martin du Gard thought the most free society that had ever existed) to the Nazi subjugation of Europe (which he initially feared would endure). He envisioned the book, *Le Lieutenant-Colonel de Maumort*, as "the testament of a generation on the eve of a complete rupture between two ages of humanity."

Born to a family of lawyers outside of Paris in 1881, Martin du Gard was educated at liberal Catholic schools. He had a kind of bold staidness about him. He wanted to write, but instead of trying his hand in Bohemia, he enrolled in the École des Chartes, training himself

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as an analyst of ancient documents. He was reclusive by nature. Martin du Gard lived quietly in the country, generally refused to be photographed, hid from journalists for days when his Nobel was announced, and in the 1950s would spurn repeated invitations from Charles de Gaulle and André Malraux to join the Académie Française. His friendships were few but intense. His early novels brought him into contact, around 1913, with the authors associated with the *Nouvelle Revue Française*, particularly with André Gide, twelve years his elder.

It was one of France's great literary friendships. Martin du Gard tried to convert Gide into a writer of big, Tolstoyan novels—and failed. Gide tried to convert Martin du Gard to the anti-ethic of sensual gratification that Gide had limned in such short novels as *The Fruits of the Earth* (1897), *The Immoralist* (1902), and *The Counterfeiters* (1926)—and succeeded. While Gide was a wider-ranging man of letters, and would himself win the Nobel Prize in 1947, Martin du Gard was the better pure novelist, and Gide's influence would come to erode his quirky gifts.

Martin du Gard's big final novel is narrated by Lt.-Col. Bertrand de Maumort, a rural nobleman (he doesn't insist on the title) who wavers all his life between a military and a literary calling. Born in 1870, Maumort attends a debauched Jesuit school in the Orne, comes (through an academic uncle) under the sway of the French intellectual circle around Ernest Renan in the 1890s, gets put on leave from the Army for asserting Dreyfus's innocence, is widowed in his early thirties, helps build the French empire in Morocco, loses both his sons (and fights valiantly in the trenches) in World War I, and at last retires to his estate to read. When the Nazis invade, he (in one of several versions that Martin du Gard tried) engages in long arguments with the Nazi high command who are holed up in his bedrooms or (in another version) locks himself in his library to write his memoirs.

Martin du Gard considered *Le Lieutenant-Colonel de Maumort* "a work that can grow and be perfected indefinitely: a work that will never be finished for me, and that, however, may at any moment be interrupted by my death." In short, a *roman fleuve*, of the sort Marcel Proust, Jules Romains, and Georges Duhamel made a particularly French genre. When death came in 1958, *Le Lieutenant-Colonel de Maumort* consisted of thousands of manuscript pages in various degrees of completion, and boxes and boxes of notes—accompanied by a memorandum asking that the work, if ever published, be dedicated to Gide. These were assembled into a thousand-

page novel by the editor André Daspre in 1983. Now it has been smartly translated into English by Luc Brébion and Timothy Crouse (the latter an American political journalist who has scarcely been heard from since his 1974 *The Boys on the Bus*). They present *Maumort* as "one of the greatest novels of the twentieth century."

Whether we agree with the translators' grandiose verdict depends on whether we judge the book Martin du Gard *outlined* or the book he *wrote*. It was probably the École des Chartes that left Martin du Gard with the lifelong habit of disciplined outlining. He stuck to that habit until the end. "Certainly at my age," he wrote, "there's a big risk of dying before having got enough perspective to pass historical judgment. But the risk of talking nonsense is worse, and I've made my choice." In order to keep Maumort from being a mere mouthpiece for his own thoughts, Martin du Gard decided to write Maumort's biography, as a "purely preparatory exercise," a kind of scaffolding. In his journals and his letters to Gide, he describes his work on *Maumort* as resembling the construction of a beehive, which he would later go back to, and fill with the honey of narrative. (It was for this diligence that one of Martin du Gard's youngest friends, Albert Camus, would so admire him.)

If we judge only the book he outlined, then we can take Martin du Gard's description of a minor character in *Maumort*—the colonel's academic uncle Éric Chambost, who spends decades working on a never-to-be-finished book called *The Moral Evolution of the Human Mind*—as offering the key not just to this posthumous novel but to Martin du Gard's lifelong project:

> The multiplicity of moral ideas, their differences, their contradictions, the incredible variety of traditional notions as to what is good or bad, compulsory or irrelevant, and, moreover, the large number of cases in which the moral imperative outlived the reasons that had given it birth seemed to him, early on, one of the principal enigmas that arise in the human mind and one whose solution had to be pregnant with consequences. It was to this research that he devoted his life.

Such examinations mark the two earlier novels, *Jean Barois* and *Les Thibaults*, on which rest Martin du Gard's reputation as the most Tolstoyan of French fiction writers. His lifelong obsession was to find a set of beliefs that would replace Christianity, specifically Catholicism (which he did not accept), without shaking to their foundations its moral teachings (which he considered the only reliable bulwark against savagery and—more important—despair). The rupture Martin du Gard sought to chronicle was thus a personal thing for him, and he was in a good position to

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see both sides of any argument that arose from it.

While schooled with Paris's Catholic elites for eleven years, Martin du Gard claimed that "my atheism was formed at the same time as my mind." What's more, Martin du Gard, homosexual by inclination and avocation, was miserably married to a devout Catholic who despised all his literary friends. Many of the incidents in *Jean Barois*, his novel of doubt and faith set during the Dreyfus affair, arose from battles with his wife over whether their daughter should go to Mass and how she should be instructed. (In the event, the virulent anticlericalism his daughter proclaimed as an adult would exasperate Martin du Gard even more than his wife's piety.)

Photos: La Nouvelle Revue Française.

Above, Roger Martin du Gard in 1935. Opposite, with his daughter in 1918.

Published in 1913—the same year as Alain-Fournier's *Le Grand Meaulnes* and Proust's *Swann's Way*—*Jean Barois* is an extraordinary book: a novel about religion by an unbeliever in which belief fights unbelief to a draw. In Martin du Gard, *all* doctrinal fights tend to end in draws. On the one hand, Barois would pose as the great liberator of the atheists, the first moralist of a new religion, and the circle of anticlericals around Barois acquit themselves honorably on the admirable side of the Dreyfus affair. On the other hand, their anti-religion stance is shown already to have the character of a movement considerably more rife with phonyism and credulity than the Catholicism they fled. And Martin du Gard puts as many stupid, arrogant, *dogmatic* sentiments into the mouths of his anticlerics as he does into the mouths of his priests.

The politics that results is not distinguishable from that of the disillusioned Catholic dreyfusard Charles Péguy's *Our Youth*: regret at that tawdry political hustling of opportunists who latch onto a noble cause after the fact. The fictional character Barois comes to think the vision of the world that pure reason puts before us is manifestly shoddier than the world as we know it by instinct to be—and the real author Martin du Gard sees in his thinking an explanation of why religion is a "universal sentiment." The world *matters* more than pure reason can tell us. The particular dogmas of most religions are easily enough assailed; the vision of the importance of the world that all of them offer is much more "reasonable," more "sensible," more "logical," than the vision of atheism. Barois is an atheist who loses his lack-of-faith, who weakens in his will to not-believe, and returns to the church.

For Martin du Gard, the fact remains that Christian dogma is routed by science on every front, and revealed religion can't evolve without destroying itself. The point on which he insists with most tenacity is that religion is in an all-or-nothing battle with unbelief. Although they are the noblest figures in all of Martin du Gard's novels, those liberal prelates who seek a "symbolist compromise"—accepting the "spirit" of religion while rejecting its literal truth—are duped. They are on a slippery slope for people on their way out of religion.

The problem is that all the non-religious codes that could serve as replacements are resting places for people on their way out of *civilization*. In *Les Thibaults*, which he began in 1920, Martin du Gard uses World War I to show the extent to which this matters. This story of two brothers—the methodical doctor Antoine and the bohemian Communist Jacques—allowed Martin du Gard "the possibility of being able to give simultaneous expression to two conflicting tendencies in my own nature: my instinctive need to escape, to rebel, to reject every sort of conformity, and the instinctive need for order, for moderation, for the avoidance of extreme courses which I owe to my heritage."

The brothers' father, the widower Oscar Thibault, is an autocratic and megalomaniacal Catholic hypocrite. He founds a school for troubled boys that is a prison camp and a nest of perversion. He tramples over his subordinates and tyrannizes his family, and uses much of his bequest to endow an "Oscar Thibault Prize for Virtue." Aside from being a fount of hypocrisy, his Catholicism—particularly when contrasted with the easygoing maternal love of the boys' Protestant friends, the Fontanins—is the root of *vice*. It is ripe for discarding. But that is easier said than done.

Oscar's older son Antoine discards it through duty. A doctor, he takes a "large and complete satisfaction in the scientific development of our times." He is proud to call himself a "slave of my pro-

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fession," without ever considering that that might make him a slave. "People like me start in doubt and impartiality," he tells a priest, "and allow ourselves to be led by reason, without knowing where it will lead us." Antoine's motto is: "Complete liberty, on the condition that one can judge clearly." And yet, when Antoine wrestles with his conscience after euthanizing a baby one night, he loses. "Funny how a person is almost never satisfied with logical reasoning," he thinks. Martin du Gard realizes it will lead people to selfishly maximize their own comfort—that's what "logical reasoning" is for. When war is declared, sensible Antoine, like most of ostrich-like Europe, has no idea what hit him. The younger Thibault son Jacques considers his brother one of the race of "lazy active people."

But Jacques, although both more "modern" and more astute about the gathering storm, is even more a bourgeois hypocrite. Hundreds of pages of "Summer 1914," the seventh book of *Les Thibaults*, are devoted to introducing us to about two dozen expatriate Communists in Geneva—through their ideological disputes. Here as elsewhere, Martin du Gard never stacks an argument. Some of his Communists are infuriatingly stupid, others infuriatingly logical—but all of them are dogmatists of a faith that provides no more permanent a resting place than a rickety Catholicism collapsing under the attacks of twentieth-century science. Jacques comes to see that the "collectivists" around him are closet individualists. Each secretly wishes for a band of *others* to act collectively in a way that will exalt *himself*—as a heroic individual.

And Martin du Gard is splendidly astute on the animality at the heart of a revolutionary project that would "rationalize" social relations. "What's really the reason for this general adhesion to theories of violence?" Jacques asks.

> Is it only because we need violence to act efficiently? No. It's also because these theories appeal to us through the lowest, the oldest, the most deeply buried instincts! The truth is that we stick to them for motives that are much more shameful and much more personal—because all of us have, at the bottom of our hearts, a revenge to take and a grudge to satisfy.

The Achilles' heel of Jacques's Communist faith is that he doesn't believe human nature can change. As such, his faith has nothing transcendent in it. In general "liberation" is almost never liberating in Martin du Gard—and that is because he understands liberation as something more than infantile reaction. "I'm completely free, and never have anything to hide," says Antoine's oversexed girlfriend, mere pages before obediently returning to Africa to service her abusive boyfriend as a sex-slave.

No French novelist is more fluent than Martin du Gard in the language of skepticism. If anyone was capable of writing a book that could serve as a summum of the moral evolution of the first half of the twentieth century, it was he. This should give an idea of what to expect from a Martin du Gard novel that aims to trace a straight line between the confident, credulous, patriotic, *free* nineteenth century and "Swastika on the roof. Feeling of servitude." There is nothing more plausible than that a novel to which Martin du Gard devoted the last two decades of his life should be "one of the greatest novels of the twentieth century."

A novel to which Martin du Gard devoted two decades should have been a great novel. Sadly, Maumort *is not.*

Sadly, that book is not *Maumort*, and there is no indication that Martin du Gard ever seriously tried to write such a book. Instead, we have a highly tendentious work about sex, written under the influence of Gide. This book comes in three parts: six hundred pages of cleanly written, coherent, "finished" narrative; fifty pages of a failed, late-in-life attempt to recast *Maumort* as an epistolary novel; and one hundred pages of miscellaneous notes and aphorisms.

It is only in the scrappy, unfinished, undeveloped parts that one gets hints of the preoccupations that made Martin du Gard a giant of French letters. The passages, for instance, concerning his Uncle Eric's Sorbonne set—"the vanguard of a new, privileged humanity which was suddenly awakening, after centuries of trial and error, and which had at last arrived at the threshold of Truth"—hint at the intellectual degeneration that would lead Europe into war and violence. There is a portrait of Renan, the defrocked priest and apostle of science, who detests all dogmatism and fanaticism, but admits that he might stand aside if they ever made a bid for power:

> "One must accept them," he said. "Let them do their ugly job, and then, as soon as possible, get rid of them. . . ." He smiled, delighted with his idea. "Who knows if this hideous collaboration of evil is not indispensable for the coming of a great good? Criminal and abhorrent, insane and detestable, they certainly are. But the endeavor that humanity is dimly trying to perfect, and that goes beyond them, and that is glorious, needs their madness and their crimes to blossom and to establish itself in a lasting way."

But these intellectual portraits are mere vignettes worked up out of raw notes, with no indication that Martin du Gard ever tried to integrate them into his narrative.

The same goes for the passages in which Maumort interrogates the Nazi officers billeted in his house. Here Martin du Gard's resistance to dogma of all sorts inclined him to put irresistible ideas and sentiments into the mouths of the Nazis he clearly found unsympathetic, much as he did with both orthodox Catholics and orthodox Communists. "There are not many absurdities in what Gralt says," Maumort remarks of the gentlest of the officers, and he generally listens while the Nazis talk:

> I sometimes reproach myself as if it were a kind of minor cowardice in me to shy away from any argument with

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Harvard University Press

Martin du Gard at breakfast with André Gide in 1923.

> Dr. Weissmüller. Then again, it's the only reasonable attitude. The advantage of a brain like mine over a thick head like his is that I learn a lot by listening to him, while he would learn nothing from me.

The chapter that would have resulted could have been dazzling. Millions of his countrymen, after all, collaborated with the Nazis, and Martin du Gard shows signs of having a rough explanation of why they did. Surely this is a subject of some moment to an intellectual whose theme is the "complete rupture between two ages of humanity."

Since it was the Nazi takeover of his house that provided the impetus for the novel in the first place, one can ask why the Nazi chapter was barely started. There is a possible biographical explanation: All the chapters about Germany were written *during* the war. Once Martin du Gard began to hear word of German barbarism elsewhere in Europe, his sentiments about the war swiftly passed from curiosity to indignation.

Fair enough, but there's no evidence Martin du Gard did *any* serious work on these passages, even work that would reflect his new understanding of Nazism, in the last fifteen years of his life. And if we look at the other gaps in the book—seven years of Maumort's participation in the building of France's African empire covered in a dozen pages of notes; Maumort's two decades of reclusion at his country house a blank slate, with not even notes to guide us—we're left with a different explanation. Martin du Gard covered so little about the evolution of Western consciousness because the subject had ceased to interest him.

What had come to interest him instead was sex. The English translators seem to like the novel that results from this preoccupation—but they make claims for the novel as if that preoccupation were only one among other, more exalted ones. In their introductory essay, they use the pretensions of the masterpiece Martin du Gard dreamed of writing—but did not write—to make claims for the sexual *Bildungsroman* he actually did write. The book proceeds at a pace of about a hundred pages per year of Maumort's life. The editors explain the gaps by opening chapter after chapter with qualifiers like "Time did not permit Martin du Gard to carry out this project as completely as he had hoped."

One wants to ask, "How much time did he want? Three hundred years?" Time certainly permitted Martin du Gard to write the novel he wanted to write. And the novel he wanted to write is a sort of slow-motion version of a Gide novel—or, more charitably put, the kind of novel Gide would have written if he had had Martin du Gard's powers of concentration.

That novel is a remarkably thorough account of Maumort's sexual life between puberty and early adulthood. Maumort is obsessed with puberty: "Tell me what your puberty was," he says, "and I will learn your nature, and know your secrets." In this reading, Maumort's life up to age twenty-four—and this is the only part of the novel that is really "complete"—has four key events. First, the pubescent Maumort's spotting some girls bathing naked by a pond. Second, a year spent living with his sex-crazed teenage cousin, who initiates him into the onanistic "bad habits" that allow him to punctuate his days with orgasm. Third, the boy's school where he joins in stopgap measures of mutual masturbation. Fourth, his loss of virginity at age twenty (after a mystifying delay) to a Martiniquaise immigrant.

The best-drawn character in the book—and one of the best Martin du Gard ever drew—is Maumort's tutor Xavier de Balcourt, a down-at-the-heels would-be writer from a disgraced noble family. He resembles Balzac's Rastignac, that archetype of the French country boy on the make (except gay), and his worldview is that of the novel:

> Xavier smiled and said something like this, which made so great an impression on me that I have never forgotten it: "You know, every man has two very distinct and often contradictory lives: his social life, that is to say his life in front of others, with his family, in the world; and then his secret life, or to put it bluntly, his sexual life, about which no one around him generally has the slightest inkling; a life completely hidden and disguised, in which each of us lives his true character." . . . From that day on, I possessed one truth more, and, as it were, one of the keys to the world.

It becomes clear, though, that Martin du Gard thinks it's the *only* key to the world, a truer truth. "I am eager," he writes, "to get to the question which, for me, is the central one, the one that provides the key to that unhappy existence, and that, to my mind, sheds light on everything which in Xavier's life, death, and character would otherwise remain forever obscure: the question of morals, the sexual question."

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Martin du Gard brings tremendous gifts to the subject of sex. Xavier's demise is recounted through a fifty-five-page excerpt from his diary ("The Drowning"), which Maumort inserts into his narrative. It concerns Xavier's attempts, while billeted in a French country town, to seduce a local baker's apprentice under the eyes of suspicious townspeople—and the catastrophe that unrolls as he draws closer to his goal. This ingeniously paced homoerotic crime novella—to coin a genre—has little to do with Maumort's own story. It should have been pulled out of this baggy manuscript and published separately, for it is as good a novella as has been written in French in the last century—and the $35 price of the book is a pittance to pay for the gripping experience of reading it. Start at page 316.

Here as elsewhere Martin du Gard is most at ease when his characters are drawn towards courses of action that defy not only their common sense but their sworn beliefs. Maumort, for instance, believes that love is crucial to his sexual enjoyment, but adds that (a) it hasn't worked that way for him in practice and (b) those who follow this belief are miserable:

> it is only fair to add that those who do not 'separate' the two things—those for whom physical attraction and the act of love are not possible without feeling, those for whom sex necessarily involves the heart and the mind, the entire self conquered and enthralled—are perhaps even more to be pitied. All such people I have known have been wretched, victims of romantic passions that hellishly complicated their lives and that often wrecked their careers, ruined their happiness, and caused everyone who loved them to suffer.

One of the problems with a Martin du Gard novel about sex is that the ground rules of sex under which his characters operate are not those of most people (heterosexual or homosexual). First, almost all of his protagonists have dead mothers and carry their desire for mother-love to the point of obsession—even Maumort, whose mother died bearing him and who has such a hard time losing his virginity partly because he keeps falling in love with the mothers of the women he thinks he's in love with. Second, there's a kind of passivity—even asexuality—about the men in his novels.

Daniel de Fontanin in *Les Thibault* is an exception. Xavier de Balcourt is another. But in general, Martin du Gard's male characters don't seek women (or men, as the case may be), don't seduce them. They just drift into relationships with whoever happens to be there. Jacques and Antoine Thibault both court their maid Lise and their stepsister Gise, Barois drifts into an affair with a collaborator's wife, and Martin du Gard's 1931 novella *Confidence Africaine* has incest as its theme.

The prevalence of incest in all of Martin du Gard's work (even Maumort has an unnatural spousal affection for his sister Henriette) owes less to any perversion on Martin du Gard's part than to an intellectual weakness. He sees sex only *psychologically*, seldom socially. Since sex hits Martin du Gard's characters (and therefore presumably him) with the force of revelation, it's in a unique position to assume the force of a dogma in a body of work that's dedicated to triumphing over dogma. Sex is the only lens that Martin du Gard does not examine for cloudiness or distortion, the one subject that takes him away from his real strengths as a novelist, all of which arise from his skepticism.

In a passage that his editors place at the end, Maumort sums up his own strong points, and they are Martin du Gard's:

> And I think I have figured out the secret of my equilibrium: my brain is built in such a way that I *have no need for certainty.* The bad fairy did not toss that curse into my cradle. It is quite an exceptional stroke of luck. I have the privilege—which in my generation was less unusual than today—of breathing easily amongst conjectures, contradictions, inconsistencies. Problems interest me without my having to solve them at all costs. Doubt is my climate.

The evidence of this posthumous novel is that by the end, Martin du Gard was growing freezing cold in that climate of doubt. He was just as uncomfortable as Jean Barois with a life that offered neither dogma as an aid to understanding nor hope as an aid to peace of mind—and grasped at a simple explanation. In *Le Lieutenant-Colonel de Maumort*, the skeptic of earlier years who had seen in sex a resting place just as precarious as "symbolist" Christianity or radical socialism suddenly chose to renounce his skepticism about sex and be baptized into the church of it. ♦

The End of Woodstock

Has the counterrevolution in pop music arrived?

BY MARK GAUVREAU JUDGE

Religion and popular music—yes, even rock 'n' roll—have been close cousins for most of the century. Only in the last thirty years has rock 'n' roll put a premium on aggression and revolution, forsaking melody, harmony, and spiritual expression. Amazingly, in the last few years—and leading into this year's Grammy Awards—rock 'n' roll seems to be finding its authentic voice again. This may be the year that the Woodstocking of pop at last comes to an end.

Of course, according to *Rolling Stone*, *Spin*, and MTV, rock 'n' roll has always been about rebellion. In the early 1950s, Elvis emerged, and after his arrival nothing would be the same. The hypocrisy of button-down America was exposed, the kids were freed from sexual and emotional restraint, and the careers of such lightweight crooners as Patti

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Page and Bing Crosby were destroyed. And the musical assault on conformity continued through the Beatles, punk rock, and rap. The whole point, as *Spin* writer Eric Weisbard puts it, is that rock is an "innately unruly form."

In her marvelous 1994 *Hole in Our Soul: The Loss of Beauty and Meaning in American Popular Music*, Martha Bayles concedes that Elvis was shocking for a few. But she insists that the Elvis phenomenon wasn't as much about American teenagers' revolution as it was about American teenagers' dancing. By the time Elvis came along, the old swing bands had been largely replaced by such wispy pop stars as Perry Como and Doris Day, and the kids wanted to dance. As Bayles noted in a 1998 article in the *Public Interest*, Elvis had much in common with Benny Goodman, Louis Armstrong, and Frank Sinatra. "Return to Sender," "Heartbreak Hotel," and "Love Me Tender" have more to do with swing than with later rock. And the early Beatles songs—"Love Me Do," "Eight Days a Week," "I Want to Hold Your Hand"—called for dancing in the streets rather than fighting in them.

The swing and rhythm and blues that gave birth to Elvis was primarily religious. As Ted Gioia's *Jazz: A History* reveals, jazz developed not in the whorehouses of New Orleans, but in the churches. Buddy Bolden, widely regarded as the first jazz musician, didn't learn his horn in the red-light district—which had little music in it—but in church. As Steve Turner explains in *Hungry for Heaven: Rock & Roll and the Search for Redemption*, the rockers of the 1950s were similarly reared. Elvis grew up in the Baptist church and claimed his "wiggle" was based on a revival preacher he had seen. Buddy Holly was also a Baptist, and based his group's vocal harmonies on country spirituals. Such black singers as Sam Cooke, Ray Charles, and Little Richard often blurred the line between popular and religious music. In both forms the ethos was the same: to deal with the tragedy, humiliation, and occasional exuberance of life with elan, charm, and wit rather than pettiness, vanity, and solipsism—the markers of today's rock.

So how did we get from Elvis to Woodstock? According to Bayles, the real shift came not in the 1950s, but in the 1960s. It was then that the positive, funny, sensual, and spiritual idioms of the African-American tradition collided with "perverse modernism": "the antiart impulses of the European avant-garde, which gave rise historically to such movements as decadence at the end of the nineteenth century; futurism at the start of the twentieth; dada in the 1920s; surrealism and the theater of cruelty in the 1930s; and postwar retreads of these movements, such as happenings and performance art in the 1950s and 60s."

These influences came into rock 'n' roll when the products of England's art schools began playing American music. The most famous practitioners were the Rolling Stones, who began as a third-rate blues cover band and turned into the menacing alternative to the Beatles. The Stones quickly gained fame by their rudeness toward authority and bourgeois values and Mick Jagger's cross-dressing—antics that are regarded as part of rock's tradition but in reality had nothing to do with the positive spirituality of American pop music forms.

Yet in the last few years, a counterrevolution has taken place. Hip-hop singer Lauryn Hill, perhaps the most important female pop musician working today, accepted a Grammy last year by reading Psalm 23 and then performed a song "To Zion," with as potent a pro-life manifesto as anything published in the conservative press (though her diatribes against white people show her otherwise not a conservative icon). Then on the heels of Hill came the "teen pop explosion." Catchy tunes that could have come out of Motown in the 1960s are on the radio and being embraced by the kids again. This was followed by the Latin pop wave, in which artists like Enrique Iglesias, Ricky Martin, and veteran Carlos Santana (who is up for ten Grammies) married modern dance beats to traditional Latin rhythms. Artists like Iglesias, the Backstreet Boys, Christina Aguilera, and 'N Sync are fresh and potent refutations to hate-rock and gangsta rap. Unlike the angry, middle-class white critics who put them down, these artists are mostly interested in melody, dancing, spiritual affirmation, and other parts of the authentic black musical tradition of pop music.

In light of this return of pop, the myth of rock as rebellion looks increasingly silly and conformist. In recent editions of *Entertainment Weekly* and the *New York Times*, critics listed their favorite albums of 1999, with very strict parameters about what's cool and what's not. Angry black rappers are acceptable, but black artists interested in melody—Whitney Houston, Brandy—are not. According to Jon Pareles in the *Times*, one of last year's top acts was Rage Against the Machine, a radical rock and rap group. "Can the testosterone surges of adolescence be channeled into political fervor?" Pareles asks. "Rapping about leftist martyrs over choppy (and newly funky) hard-rock riffs, Rage Against the Machine bets it can, and hedges with ample guitar mayhem."

The problem is, Rage Against the Machine's album quickly bombed after its release. The kids just aren't in the mood for misery and mayhem. Albums that sold well and got Grammy nods, such as Whitney Houston's *My Love is Your Love* and Christina Aguilera's debut album, simply offered smart, well-crafted pop songs about love. *Entertainment Weekly* critic Chris Willman excoriates the teen groups which have assaulted the charts over the last year or so. Willman's number one album of the year is instead *Utopia Parkway* by rockers Fountains of Wayne, an album whose likely audience even he admits is "mostly folks in their 30s and 40s, old enough to remember when rock this tuneful, intelligent, and exhilarating was more the rule, not the exception."

Willman won't acknowledge it for fear of losing his credentials, but there is music being made today that's every bit as intelligent as the rock he romanticizes. That music isn't rock, however; it's the pop music he hates. It was teen pop that offered the year's most euphoric pop moment, the Backstreet Boys' magical single "I Want It That Way." It's up for a Grammy for song of the year. As rock critics don't vote in the competition, it might even win. ♦

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The Unlikeliest Star

The greatness of Walter Matthau.

BY JOHN PODHORETZ

Walter Matthau, who turns eighty this year, has been appearing on screen for forty-five years. There's something shocking about that, for Matthau doesn't seem like a creature from Hollywood's past—unlike, say, his contemporary Kirk Douglas. In part that's because Matthau didn't become a major figure until the late 1960s, when this middle-aged New York Jew with the appearance of a bar-mitzvahed Richard Nixon suddenly emerged as one of the most unlikely movie stars Hollywood ever produced.

But it's also because Matthau is an actor so in control of his craft that he can make the smallest gesture speak volumes. In the 1978 *House Calls*, Matthau plays a recently widowed surgeon who barges into Glenda Jackson's apartment because he needs to use her phone to call the auto club. He barely knows her, but while he's waiting, he takes off his shoes so he can be comfortable—a pitch-perfect piece of business that captures both the overwhelming arrogance and the endearing informality of his character.

There's a comparable moment in *Hanging Up*, Matthau's latest film. He plays Lou, the semi-demented, drunken father of Eve (Meg Ryan). She comes to visit him in the hospital, and Lou begins to speak endearments that quickly grow uncomfortably lascivious. Eve realizes her father thinks she's another woman and is making a pass at her. Enacting this Freudian fantasy is beyond Meg Ryan's gifts as an actress—her pretty face simply becomes a disapproving mask—but not Matthau's. His voice drops to a wooing near-whisper, and you realize Lou's not flirting so much as he is pleading.

Most old actors playing old men get a sickeningly sweet twinkle in their eyes, and Matthau can certainly do cute, as he did playing Albert Einstein in the misbegotten comedy *I.Q.* (also co-starring Ryan). But he doesn't do cute in *Hanging Up*, an otherwise meretricious piece of work that can use every ounce of honesty Matthau can squeeze out of it. His character is a monster, and Matthau doesn't shrink from it: There's a chilling scene later in the film when he stares at Ryan with hatred and tells her that, when she was born, her mother took one look at her and said, "Throw that one back." But even as he's raging, Matthau reveals the weakness that has allowed his character to give his monstrousness full vent.

This is Matthau's first supporting role in decades—since 1966, in fact, when he won a Best Supporting Actor Oscar for his hilarious ambulance-chasing lawyer in *The Fortune Cookie*. From his early appearance on screen, as a whip-wielding Westerner in 1955's *The Kentuckian*, he had been solely a character actor—a villain, for the most part, whose specialty was exuding intellectual arrogance and heartlessness in films like *Fail-Safe* and *Charade*.

One of the reasons it's hard for actors to stop playing villains is that villains are, by definition, characters with whom viewers don't identify—you're supposed to hate them, you have no interest in understanding them, and any actor who makes a villain memorable seems far more capable of alienating an audience's affections than of winning it. Matthau would probably never have risen above his villain status had he not journeyed to Broadway in 1964 to play Oscar Madison in Neil Simon's *The Odd Couple*. Matthau was allowed to recreate his stage role when *The Odd Couple* was made into a movie in 1968 because he had won an Oscar the year before and because the movie's putative star was not he, but the moneymaking Jack Lemmon.

Lemmon or no Lemmon, *The Odd Couple* belonged to Matthau. As Oscar, a divorced slob of a New York sportswriter driven to distraction when his fussy friend Felix moves in, Matthau was not only effortlessly funny but authentic in a way Hollywood performers rarely are. When Simon sent him the script, Matthau said he wanted to play Felix because Oscar would be too easy. "Walter, do me a favor," Simon replied. "Act on your own time."

It's not surprising that Matthau felt himself similar to Oscar—most men feel like Oscar at some point. Shambling around Manhattan, trying hard not to make eye contact with anyone in a restaurant as the adenoidal Felix tries to clear his stopped-up ears by making moose noises, and impatiently barking "No, there's no Dabby here" into the phone when his five-year-old son calls him during a poker game. Matthau is the divorced guy everybody knows—an uncle, a friend, a neighbor—whose life as a solitary man is causing him to revert to the state of nature.

With *The Odd Couple*, Matthau began a second career as a leading man, and he has chosen his parts interestingly and well. He played a brilliant thief in the underrated *Charley Varrick* from 1973, before going on to play seen-it-all cops in two equally underrated 1970s films, *The Laughing Policeman* and *The Taking of Pelham 1 2 3*.

A compulsive gambler who says he has lost $50 million as a bettor, Matthau has a particular affinity for movies set at the track. He was a low-rent Cajun horse-trainer who finds himself the owner of a champion in a lovely film called *Casey's Shadow*. And as the bookie Sorrowful Jones in the 1980 version of Damon Runyon's oft-filmed *Little Miss Marker*, he proved himself the only actor in Hollywood history able to make Runyon's wonderfully stilted dialogue

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The Sunshine Boys

sound even remotely realistic. "Milk is considered tops for sleeping," the unsmiling Sorrowful says to a distraught six-year-old who is lying awake in his apartment after being left by her father as collateral for a bet. As Matthau speaks, almost throwing the words away, we realize the little girl's presence is defrosting Sorrowful's heart.

Matthau's specialty is playing men in their seventies, which he began doing at age fifty-three in an unsatisfying little movie called *Kotch* (directed, poorly, by Jack Lemmon). The title character is a logorrheic retiree living with his son and unhappy daughter-in-law, a man both good-natured and unbearable—energetic but manipulative, incapable of allowing a moment to pass in silence and incapable of listening. Kotch is an interesting character in an extremely dull movie, and though Matthau is trying hard, he doesn't quite make you forget that he's trying to seem twenty years older than he is.

But Matthau did succeed in transcending his age four years later in his second old-man role—the decrepit ex-vaudevillian Willy Clark in *The Sunshine Boys*, the third of his six Neil Simon movies. "He writes the way I talk," Matthau has said of his association with Simon, but it's closer to the truth to say that only Matthau makes Simon's tinny, punchline-a-minute dialogue sound as though it might actually come out of the mouth of a human being.

The Sunshine Boys is a document of real interest twenty-five years after its release. With the passing away of almost every native Yiddish speaker, Matthau's eerily accurate Yiddish-American accent is a powerful reminder of something that has been lost. At the time of the film's release, Matthau was overshadowed by George Burns, who resuscitated his own career with an Oscar-winning turn as Willy Clark's detested former partner. And Matthau's performance came in for some severe criticism, particularly from Pauline Kael, who complained that he shouted too much. But *The Sunshine Boys* is in fact the supreme achievement of Matthau's career—and his performance is one of the cinema's comic high-water marks.

The Sunshine Boys is a movie that could never be made today, because it does nothing but make fun of the elderly. It's a comedy about the loss of memory, the onrush of senility, and the obstinate refusal of the aged to admit to their infirmities. Matthau spends most of the movie with an expression of befuddlement as he forgets what he just said, what somebody else just said, why he's even standing where he's standing.

Forty years after his heyday in vaudeville, Willie Clark is still trying to make a living in show business. He goes on auditions for TV commercials, even though he can't remember the product—as he speaks, a brand of potato chip called Frumpies degenerates into Clumpies, or Frinkies, or Mumpies. When a director tries to correct him, Willie gets huffy: "I been in this business fifty-seven years," he says, and promptly gets it wrong again. He asks his long-suffering agent, who is also his long-suffering nephew, why he didn't get an audition for a new Broadway musical. When told it's an all-black show, Willie says angrily, "I did black in 1922, and when I did black, you could understand the words."

Mostly he spends his days in pajamas, watching soap operas, pining for the days when he was a headliner—part of the legendary team of Lewis and Clark. But when he's offered a chance to resurrect their most famous sketch for a television show, he says he won't do it because he hates his former partner so much. "As an actor no one could touch him," Willie says. "As a human being no one wanted to touch him."

Perhaps it's because Matthau gained such experience from playing old men at a younger age that he doesn't fall into any of the standard clichés now that he is as old as the characters he plays. In *Grumpy Old Men*, a 1993 box-office triumph that reminded Hollywood there is an audience for films beyond age twenty-five, Matthau and Lemmon play small-town neighbors who have been trapped in a feud most of their lives. At one point they pummel each other on a frozen pond, only to be separated by Lemmon's eighty-nine-year-old father, played by the late Burgess Meredith. "Damn kids!" Meredith snarls. Matthau freezes. "Mr. Gustafson!" he says, momentarily turning, right before our eyes, back into a nine-year-old boy being scolded by the grown-up next door.

Matthau spent eight months in the hospital last year, suffering through five bouts of pneumonia after he finished filming *Hanging Up*. It's difficult for an actor to get good roles after such an illness, because the insurance companies that protect Hollywood against a calamity like an actor's incapacitation might declare him uninsurable and effectively force him into retirement. But even if Matthau never appears on film again, he has created a body of work as a comic actor more variegated than any other American. One rarely hears Matthau's name brought up when the greats of cinema are mentioned. One should. ♦

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Alan Keyes endorses racial profiling during presidential debate on February 15, 2000.
—*News item*

Parody

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SOUTH CAROLINA STATE TROOPERS

INCIDENT REPORT

■ Suspect's Name: Alan Horatio Keyes
■ Date of Arrest: 19 February 2000
■ Time: 3:15 a.m.
■ Offenses: Driving While Self-Intoxicated, Verbal Overindulgence, Insisting on Arrest, Impersonating a Commander in Chief
■ Location: Route 9, between the Waffle House and Butch's Video Poker
■ Reporting Officer: Peducah Buford

■ Report:

While patrolling in suburban Florence, witnessed a '77 Dodge Dart with Maryland plates driving erratically. Observed driver inside, a black male, gesticulating and shouting. Saw flashes of jewelry, a chain around his neck. Classic drug-runner profile.

Accelerated and trailed car, observing "Honk if You Love Mel Bradford" bumper sticker on rear of car and spray of moisture on inside of front windshield. Spotting me, driver pulled over, cuffed himself, and threw himself over hood of his own car.

Approached suspect. "I don't blame you for profiling me," he declared, "I blame members of my own race. If the mothers and fathers of our young men and women and the curators of our moral civilization do not raise their offspring to pay obsequious homage to the jackboot and just, juridical, and constitutionally ordained authority, then let us abase ourselves in honorable homage to the strictures of transcendent legitimacy as endowed by our Creator, our Founders, and the men and women who established the concourse of primacy over this highway, this state, and this realm." Returned with breathalyzer and administered test, which, astonishingly, proved negative. Suspect pleaded with me to join his assault on "moral crisis facing this nation" and mentioned a possible accomplice, apparently named Spengler. Asked suspect where he was headed at this late hour. Claimed he was going to address an early morning minyan at the B'nai B'rith chapter at Bob Jones University.

Suspect demanded to be arrested and vowed hunger strike if released. Searched vehicle. Found cases of Jolt cola, several hundred empty teriyaki flavored beef jerky wrappers, and strange collection of bumper stickers, "Keyes 2000," "Keyes 2004," "Keyes 2008," "Keyes 2012." Confiscated copies of Southern Partisan and CD from "The Ring Cycle" for further review.

In the middle of questioning, suspect made a break for it, attempting to enter the rear seat of my cruiser, to turn himself in. Asked if I could at least get him five minutes of airtime on television program "Cops."

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■ Supervisor's Name:(please print)
■ Unit Notified
■ Time:
■ Notifications, if appropriate, made by:
■ Date of Supv. Approval/Time:
■ Case Status:

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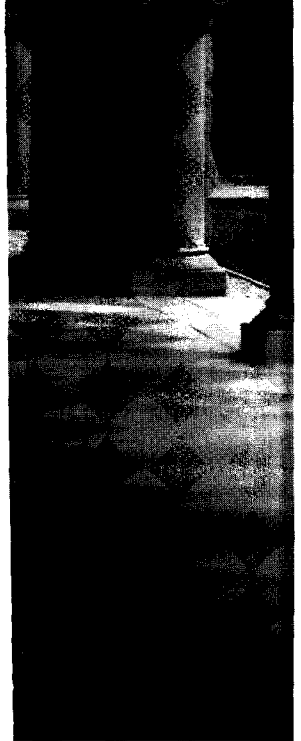
Federal Education Programs Cause Harm to Students

Herbert J. Walberg is research professor of education and psychology, University of Illinois at Chicago; distinguished visiting fellow, Hoover Institution; and member, Hoover's Koret Task Force on K–12.



The longer American students attend school, the further they fall behind the achievement of students in other economically advanced countries. In big cities, where students fall even further behind, federal education programs dominate.

The biggest federal education program, Title I for impoverished students, cost more than $100 billion over the past twenty-five years. Educators call Title 1, bilingual education, and special education *categorical programs* since complex regulations require them to classify students and treat them categorically. The programs entail expensive bureaucracies and special pleaders at the federal, state, and local levels that reduce the productivity of American schools.

As a result of federal categorical programs, U.S. administrative costs for schools are twice the average of other advanced countries. Their complex regulations, moreover, distract educators and reduce accountability for learning results. The regulations' inflexible rules prevent education reforms.

Study after study shows that federal programs do not help students learn. In fact, the programs have actually harmed some students. Transitional bilingual education, for example, requires teaching students in their native language, thus denying them the experience they most need, practice in English. Perverse incentives make such programs grow in size, cost, and ineffectiveness. The more students classified as *limited-English-proficient*, for example, the more categorical money flows to bilingual educators. Federal funding of bilingual teachers and administrators is like paying doctors to keep their patients unwell.

The same is true of *special education*, which wrongly categorizes many students as *learning disabled* and segregates them from others. Once in such special programs, students rarely escape. Wrong classifications give students excuses or bad reasons not to learn. Although special education programs can cost two or three times more per student than regular education, their students are often better off in regular classrooms.

Categorical program regulations assume that Congress and federal bureaucrats know better than educators which educational methods work best. Yet a quarter century of research reveals the failure of such federally designed programs. What is to be done?

Instead of yet one more effort to fix federal education programs, the best course would be to terminate them altogether. They clearly have cost huge amounts of money, accomplished little, and undoubtedly reduced American educational productivity. They violate the American heritage of local control of schools.

Terminating the federal programs would allow lower federal taxes, more efficiently allowing citizens to spend money they have earned on scholarships, private school tuition, or local taxes for public education. Ending federal intrusions would allow greater latitude of choice for local educators and parents.

Instead of conforming to Washington regulations, educators would be free to design programs to suit their local constituents and to evaluate the results. This change would be particularly advantageous to poor parents in big cities that are most subject to the inefficiency of federal programs and have the least choice of programs for their children.

— Herbert J. Walberg

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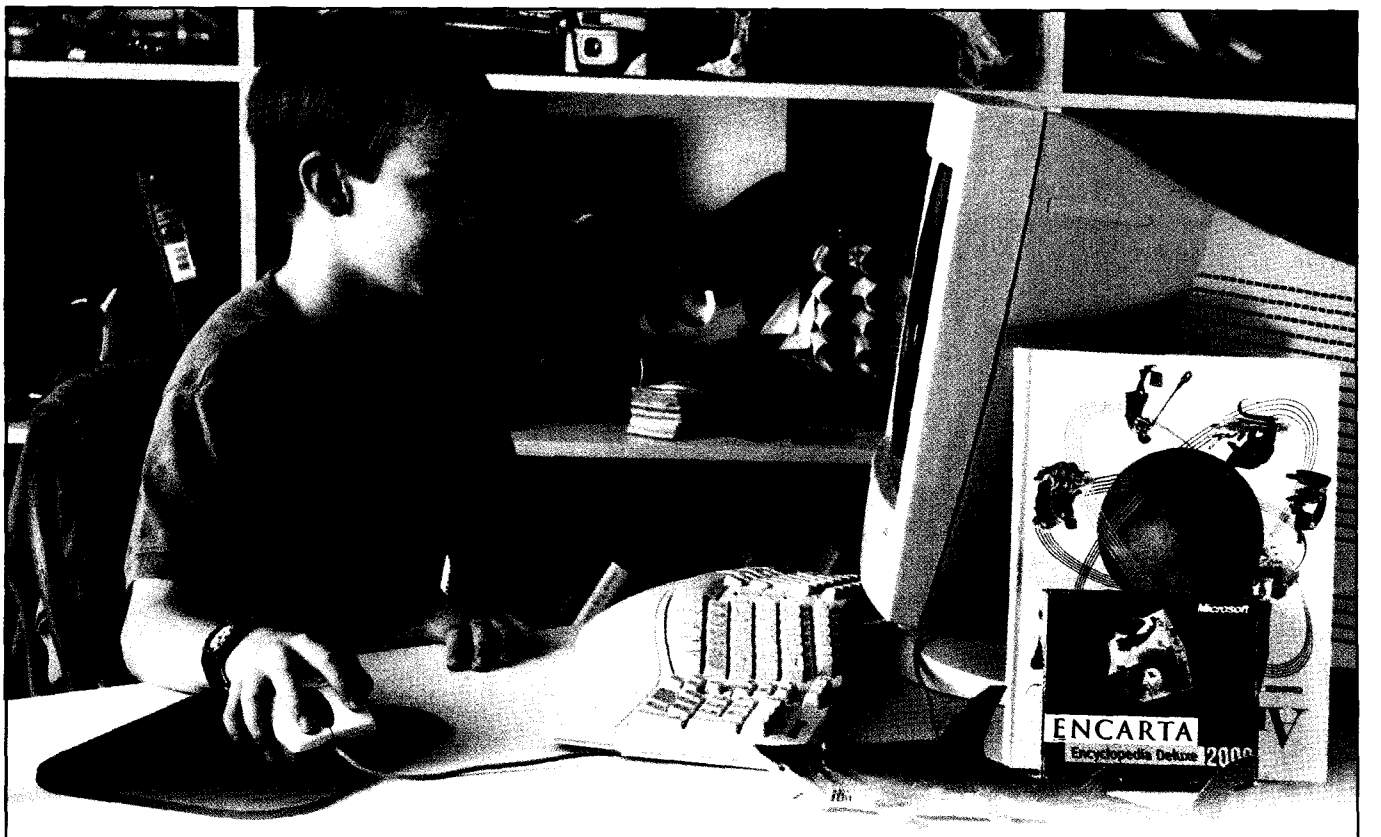

It used to be hard to get my son to concentrate. Now it's hard to get him not to.

"He loves to explore on the computer, and learn new things. When he has a question I can't answer, we search the Internet together..."

How old is the universe? What's the largest mammal? What's the fastest vehicle? For the insatiable curiosity of second grader Roger Palmer, resources like encarta.msn.com, Microsoft's online encyclopedia, provide not only instant explanations, but rich launching points for further exploration. For the questions, questions, questions of kids today, there are answers, answers, answers, with Microsoft® technology. At Microsoft, we're helping to create tools that empower kids of all ages to learn, grow, and thrive. To learn more, visit us at www.microsoft.com/education.

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